

**TREASURY DEPARTMENT**  
**UNITED STATES PUBLIC HEALTH SERVICE**  
HUGH S. CUMMING, SURGEON GENERAL

**MUNICIPAL ORDINANCES, RULES, AND  
REGULATIONS PERTAINING  
TO PUBLIC HEALTH**  
**1917-1919**

COMPILED BY

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AND

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*United States Public Health Service*

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HUGH S. CUMMING, *Surgeon General.*

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ASST. SURG. GEN. B. S. WARREN, *Chief of Division.*

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They contain: (1) Current information of the prevalence and geographic distribution of preventable diseases in the United States in so far as data are obtainable, and of cholera, plague, smallpox, typhus fever, yellow fever, and other communicable diseases throughout the world. (2) Articles relating to the cause, prevention, or control of disease. (3) Other pertinent information regarding sanitation and the conservation of the public health.

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## CONTENTS.

Anin	Page.
Birmingham, Ala.: Swine—Keeping.....	16
Kansas City, Kans.: Hogs—Keeping.....	16
Little Rock, Ark.: Domestic animals—Communicable diseases—Noti- fication of cases—Prevention of spread.....	17
Los Angeles, Calif.: Swine—Keeping—Feeding garbage and offal to.....	17
New York, N. Y.—	
Horses—Required to be tested for glanders.....	20
Horses—Examination and testing for glanders.....	20
Dogs or other animals—Prevention of nuisances by, in public places.....	21
Birds or small animals—Keeping for sale—Use of certain rooms prohibited.....	21
Barber and manicure shops, beauty parlors, and bathing establishments:	
Jacksonville, Fla.: Barber and manicure shops, beauty parlors, and public baths—Sanitary regulation—Certificates of health from employees.....	22
Little Rock, Ark.: Barber and manicure shops—Sanitary regulation— Certificates of health from employees.....	23
Los Angeles, Calif.: Barber shops—Sanitary regulation—Licensing and physical examination of barbers.....	23
New York, N. Y.—	
Bathing establishments—Permits required.....	26
Bathing establishments—Regulation.....	26
Port Chester, N. Y.: Barber shops—Sanitary regulation. Barbers, manicures, and chiropodists—Regulation.....	30
Portland, Me.: Barbers and barber shops—Regulation.....	31
Births, marriages, deaths, interments, and disinterments:	
Birmingham, Ala.: Birth and death certificates—Data for, to be obtained by hospitals, almshouses, and other institutions.....	33
Fall River, Mass.: Burial and embalming.....	33
New Orleans, La.: Births—Reporting and registration.....	34
New York, N. Y.—	
Marriages—Registration of those not previously recorded.....	36
Burial vaults for temporary reception of bodies—Construction and maintenance.....	36
Deaths—Registration.....	37
Births and stillbirths—Registration.....	37
Births, stillbirths, marriages, and deaths—Filing copy of registry.....	38
Port Chester, N. Y.: Dead bodies—Transportation by common carriers.....	38
Somerville, Mass.: Interments and disinterments.....	38
Wheeling, W. Va.: Births and deaths—Reporting. Burial.....	38
Buildings and premises:	
Detroit, Mich.: Dwellings—Building, occupancy, and maintenance.....	40
Kokomo, Ind.: Weeds—Cutting and removal.....	54

Buildings and premises—Continued.	Page.
Milwaukee, Wis.: Hay fever grasses and weeds—Prevention of pollenization.....	55
New Orleans, La.—	
Noxious weeds and grass—Cutting and removal.....	56
Noxious weeds and grass—Cutting and removal by city—Expenses incurred to be a charge against the property benefited.....	57
New York, N. Y.—	
Ventilation—Standards.....	58
Buildings and premises—Abutting sidewalk, flagging, and curb-stone to be free from obstructions and nuisances—Nuisances prohibited.....	58
Residences and business establishments—Heating.....	59
Portland, Oreg.: Buildings—Heating.....	59
Streator, Ill.: Theaters and other public places of amusement—Ventilation, cleaning, and disinfection—Toilets.....	59
Trenton, N. J.: Weeds and grass over 18 inches high prohibited.....	60
Common drinking cups and common towels:	
Louisville, Ky.: Common drinking cups and common towels—Prohibited in public places. Cleaning of eating and drinking utensils in food and drink places.....	61
Port Chester, N. Y.: Common drinking cups, common eating and drinking utensils, and common towels—Prohibited in public places.....	61
Communicable diseases:	
Alameda, Calif.: Communicable diseases—Notification of cases.....	62
Allentown, Pa.: Diphtheria—Quarantine—Disinfection—Hospitalization—Carriers—Contacts—Sale and handling of milk and food-stuffs.....	63
Bakersfield, Calif.: Communicable diseases—Notification of cases—Quarantine—Isolation—Placarding—Cleaning, renovation, and disinfection—Transportation and removal of infected persons—School attendance—Tuberculosis records to be secret—Exclusion of pupils with pediculosis—Regulations by health officer.....	65
Beaumont, Tex.: Rabies—Prevention—Muzzling of dogs.....	67
Berkeley, Calif.—	
Influenza—Notification of cases.....	68
Influenza—Wearing of gauze masks required in certain cases.....	68
Birmingham, Ala.—	
Diphtheria antitoxin—Sales by pharmacists and druggists to be reported.....	69
Smallpox vaccination—Admission of pupils to school.....	69
Boone, Iowa: Influenza and pneumonia—Notification of cases. Measures to prevent spread of Influenza.....	70
Boston, Mass.: Influenza—Burial.....	71
Bridgeport, Conn.: Pupils affected with disease or uncleanness—Medical or sanitary treatment.....	71
Brookline, Mass.: Tuberculosis—Handling of food or food utensils by infected persons.....	71
Buffalo, N. Y.—	
Communicable diseases—Prevention and control—Carriers—Hospitalization—Nose and throat cultures from certain persons.....	71
Smallpox—Vaccination may be required.....	72
Chicago, Ill.: Food poisoning or infection—Notification of cases.....	73

## Communicable diseases—Continued.

	Page.
Cincinnati, Ohio: Communicable diseases—Attendance at schools and public gatherings.....	73
Colorado Springs, Colo.: Communicable diseases—Period of quarantine may be lessened to equal that required by State board of health regulations.....	74
Columbus, Ohio: Influenza—Measures for prevention of spread.....	74
Cumberland, Md.: Smallpox—Pupils required to be vaccinated or have had smallpox.....	74
Dayton, Ohio: Rabies—Prevention—Dogs may be muzzled, confined, or quarantined by order of health commissioner.....	75
Des Moines, Iowa—	
Smallpox—Vaccination of pupils.....	75
Smallpox—Vaccination of pupils, teachers, and school janitors.....	76
Detroit, Mich.: Poliomyelitis—Notification of cases—Incubation period—Quarantine—Isolation—Placarding—Precautions in care of patients—Renovation—Return to city of infected persons and exposed children.....	76
Duluth, Minn.: Influenza—Measures for prevention of spread.....	78
Elgin, Ill.: Smallpox—Unvaccinated pupils not to be admitted to or retained in schools when smallpox exists.....	79
Fall River, Mass.—	
Communicable diseases—Hospitalization.....	79
Measles—School attendance of exposed children.....	79
Green Bay, Wis.: Influenza—Notification of cases—Quarantine—Placarding.....	79
Highland Park, Mich.: Tuberculosis—Notification of cases—Removal of infected persons—Cleaning and disinfection of premises vacated by infected persons—Records not to be divulged.....	80
Indianapolis, Ind.: Smallpox—Powers and duties of board of health in case of an actual or threatened epidemic—Vaccination of population.....	81
Ithaca, N. Y.: Whooping cough—Wearing of yellow arm band by infected persons.....	82
Jacksonville, Fla.: Diseases dangerous to public health—Authority given to city commission to prevent spread.....	82
Kansas City, Mo.—	
Communicable diseases—Notification of cases.....	82
Smallpox—Quarantine—Isolation—Vaccination of exposed persons.....	83
Los Angeles, Calif.: Influenza—Prevention of spread—Closing of certain places.....	83
Louisville, Ky.—	
Communicable diseases and industrial diseases—Notification of cases.....	83
Typhoid fever—Bacteriological examination of feces and urine of convalescent cases.....	85
McKeesport, Pa.: Influenza—Measures for prevention of spread.....	85
Macon, Ga.: Whooping cough—Infected children under 10 to wear yellow arm band.....	86
Marinette, Wis.: Influenza—Placarding—Quarantine and isolation—Preventive measures.....	87

## Communicable diseases—Continued.

	Page.
Memphis, Tenn.: Pellagra—Notification of cases and deaths—Embraced under term "contagious disease"—Preventive measures same as for typhoid fever.....	88
Minneapolis, Minn.: Children having parasitic troubles—Restriction..	89
New Castle, Pa.: Influenza—Notification of cases—Quarantine—Placarding—Attendance at schools and public gatherings—Wearing of masks.....	89
New Haven, Conn.: Communicable diseases—Notification of cases—Quarantine—Isolation—Placarding—Hospitalization—Disinfection—Screening.....	90
New York, N. Y.—	
Communicable diseases—Notification of cases.....	92
Puerperal septicemia and suppurative conjunctivitis—Notification of cases.....	93
Communicable diseases—Quarantine and isolation.....	93
Communicable diseases—Quarantine—Isolation—Placarding—Hospitalization—Incubation periods—Care and treatment of patient—Disinfection and cleaning—Requirements in tuberculosis cases.....	93
Communicable diseases—Hospitalization.....	97
Laboratories for diagnosis of communicable diseases—Permit required—Must comply with requirements of board of health..	98
Laboratories for diagnosis of communicable diseases—Conduct and maintenance.....	98
Communicable disease dispensaries—Must comply with board of health regulations.....	99
Dispensaries for treatment of communicable eye diseases—Conduct and maintenance.....	99
Communicable diseases—Reports by medical examiners of deaths from.....	100
Coughing and sneezing—Nose and mouth to be covered.....	101
Oakland, Calif.: Influenza—Wearing of masks required.....	101
Pasadena, Calif.: Influenza, pneumonia, and coryza—Notification of cases—Quarantine—Placarding—Creation of office of deputy health officer.....	101
Pittsburg, Kans.: Influenza—Notification of cases—Placarding—Quarantine—Isolation—Attendance at schools and public gatherings—Preventive measures authorized.....	102
Port Chester, N. Y.: Communicable diseases—Notification of cases—Diphtheria cultures—Isolation—Quarantine—Hospitalization—Removal of patients and contaminated articles—Concurrent disinfection—Precautions by physicians and attendants—Distribution of circulars of information—Placarding—Prevention of spread in institutions—Exposure of infected and well persons—Attendance at schools and gatherings—Hospitalization, quarantine, isolation, and vaccination in smallpox cases—Incubation periods—Sale, handling, and destruction of foodstuffs—Carriers—Reports of food poisoning—Procedure in tuberculosis cases—Cleaning, renovation, and disinfection—Destruction of contaminated articles—Occupation of premises after termination of case—Placarding by common carriers—Burial. Venereal diseases—Circular of information and instructions to be given patient—Records not to be divulged.....	104

## Communicable diseases—Continued.

Page.

Portland, Me. : Communicable diseases—Notification of cases—Powers and duties of health officer to prevent spread—Attendance at schools and public gatherings—Needless exposure prohibited—Control of animals. Industrial diseases—Notification of cases—	115
Sacramento, Calif.—	
Communicable diseases—Notification of cases—Quarantine—Placarding—Removal of infected persons—Attendance at schools and gatherings—Disinfection—Funerals—	118
Influenza—Wearing of gauze masks required—	119
San Diego, Calif.—	
Influenza—Quarantine—	120
Influenza—Preventive measures—	120
Influenza—Wearing of gauze masks required—	123
Spokane, Wash. : Influenza—Notification of cases—Quarantine—	123
Springfield, Mass. : Influenza—Isolation—School attendance—	124
Topeka, Kans. : Tuberculosis—Notification of cases—Records not to be divulged—Occupation of premises after termination of case—Precautions to prevent spread—Hospitalization—Treatment by city physician in certain cases—Reports of recoveries—Reports to State board of health—	124
Trenton, N. J. : Communicable diseases—Quarantine in case of an epidemic—	126
Drugs :	
East Cleveland, Ohio : Habit-forming drugs—Possession, sale, and dispensing—	127
Jacksonville, Fla. : Habit-forming drugs—Sale and dispensing to addicts—Registration of addicts—	132
Kansas City, Mo. : Drug addicts—Treatment—	132
Excreta, human—Sanitary disposal of :	
Alton, Ill. : Sewer connections—	134
Anaconda, Mont. : Sewer connections—	134
Birmingham, Ala. : Sewer connections—Water-closets and sinks—	135
Columbus, Ga. : Sewer connections—Construction, maintenance, and cleaning of privies—	135
Durham (City and County), N. C.—	
Water and sewer connections. Privies—Licenses—Location, construction, maintenance, and cleaning—	138
Human excreta—Sanitary disposal—	141
Fort Worth, Tex. : Privies—Location, construction, maintenance, and cleaning—	142
Louisville, Ky.—	
Privies and cesspools—Permits required—Construction of privies—Removal, transportation, and disposal of human excreta—	144
Privies and cesspools—Prohibited when sewer connections can be made—	144
Raleigh, N. C. : Privies—Prohibited when sewer connections can be made—Location, construction, maintenance, and cleaning—	145
Wake County, N. C. : Human excreta—Sanitary disposal—	147
Youngstown, Ohio : Septic, biological, and sewage treatment tanks—Installation—	148



	Page.
Foodstuffs, eating and drinking places, food establishments, soda fountains, and ice-cream parlors:	
Allentown, Pa.: Eating and drinking places—Employees—Physical examination—Certificates of health—Cleaning of utensils.....	150
Austin, Tex.: Food establishments—Permits—Sanitary regulation—Protection of foodstuffs—Sterilization of utensils.....	150
Boston, Mass.—	
Eggs—"Rot" and "spot"—Denaturing.....	156
Eating and drinking places—Sterilization of utensils.....	156
Bridgeport, Conn.: Restaurants—Sanitary regulation.....	157
Bridgeton, N. J.: Eating places—Licenses—Sanitary regulation—Inspection.....	158
Chicago, Ill.: Stores and other places where foodstuffs are sold or displayed—Dogs prohibited.....	162
Durham (City and County), N. C.—	
Food establishments—Sanitary regulation—Physical examination of employees—Protection of foodstuffs.....	162
Soda fountains and ice-cream parlors—Use of paper cups and saucers required—Sterilization of spoons.....	165
Flint, Mich.: Eating and drinking places, soda fountains, and ice-cream parlors—Cleaning and sterilization of utensils. Ice cream—Sale on street.....	165
Jacksonville, Fla.: Food and drink establishments—Screening—Protection of foodstuffs—Sterilization of utensils—Certificates of health may be required of employees.....	166
Lansing, Mich.: Food establishments—Licenses—Sanitary regulation—Inspection—Physical examination of employees—Sterilization of utensils—Protection and sale of foodstuffs.....	166
Little Rock, Ark.: Food and drink establishments—Sanitary regulation—Sterilization of utensils—Certificates of health from employees.....	172
Los Angeles, Calif.—	
Cooked or prepared food—Sale—Protection.....	174
Fish canneries—Sanitary regulation.....	175
Louisville, Ky.: Fruits, berries, and vegetables—Protection.....	176
Macon, Ga.: Eating and drinking places—Milk and cream used must be pasteurized.....	176
Mobile, Ala.: Eating and drinking places—Cleanliness—Protection of foodstuffs—Sterilization of utensils—Employees.....	176
Montgomery, Ala.: Fish—Sale on streets or sidewalks prohibited....	177
New York, N. Y.—	
Foodstuffs—Wrapping.....	177
Oysters—Adulterated or misbranded—Possession or sale prohibited.....	177
Foodstuffs—Keeping in cold storage—Time limit.....	178
Newport, R. I.—	
Foodstuffs—Protection.....	178
Eating places—Employees required to have certificates of health.....	178
Omaha, Nebr.: Foodstuffs—Protection.....	179
Paterson, N. J.: Foodstuffs—Wrapping.....	180
Portland, Me.: Food establishments—Registration—Sanitary regulation—Employees—Certificates of health may be required.....	180

	Page.
Foodstuffs, eating and drinking places, food establishments, soda fountains, and ice-cream parlors—Continued.	
Portland, Oreg.: Food establishments—Licenses—Physical examination of employees and issuance of certificates of health	182
Providence, R. I.: Eating and drinking places—Employees—Certificates of health required	183
San Diego, Calif.: Food establishments—Permits—Employees—Sanitary regulation	183
Somerville, Mass.: Foodstuffs—Protection from contamination	186
Winston-Salem, N. C.: Eating and drinking places—Sanitary regulation—Sterilization of utensils—Certificates of health from employees	187
Garbage, refuse, ashes, and waste matter:	
Alameda, Calif.: Garbage and rubbish—Keeping, collection, and disposal	188
Bakersfield, Calif.: Garbage—Keeping, collection, and disposal	191
Chicago, Ill.: Refuse, manure, ashes, etc.—Depositing on private property or vacant grounds	192
Lawrence, Kans.: Garbage—Keeping and collection	193
Louisville, Ky.: Garbage, refuse, manure, and ashes—Receptacles—Collection and disposal	194
Oneonta, N. Y.: Garbage—Receptacles—Collection and disposal	195
Sacramento, Calif.: Garbage, rubbish, and waste matter—Keeping, collection, and disposal	197
St. Paul, Minn.: Garbage—Receptacles—Collection	199
Health authorities:	
Altoona, Pa.: Health officer—Qualifications, duties, and salary	201
Cambridge, Mass.—	
Commissioner of health—Appointment, duties, and compensation	201
Certain employees of board of health—Pensions for	201
Columbus, Ga.: Board of health control—Appointment, powers, and duties	202
Fort Dodge, Iowa: City health physician—Qualifications, appointment, powers, duties, and salary	205
Grand Forks, N. Dak.: Public health and sanitation officer—Qualifications, appointment, duties, and salary	206
Iowa City, Iowa: Public health nurse—Appointment, qualifications, duties, and salary	207
Louisville, Ky.—	
Health department—Placed under board of public safety—Qualifications and salaries of officers and employees	207
Police officers—Required to abate certain nuisances	209
New York, N. Y.: Board of health—How constituted—Appointment and duties of commissioner of health	209
Pittsfield, Mass.: Health officer—Qualifications, appointment, duties, and compensation	209
Port Chester, N. Y.: Health officer—Appointment, qualifications, powers, and duties—Monthly reports to State commissioner of health	210
Portland, Me.: Officers of board of health—Unlawful to pose as or to obstruct	210
Quincy, Mass.: Health commissioner—Appointment, removal, powers, and duties	211



## Health authorities—Continued.

	Page.
Sacramento, Calif.: Department of public health and sanitation— Divisions—Qualifications, powers, duties, and salaries of officers and employees. Reports of births, deaths, and stillbirths.....	211
Syracuse, N. Y.: Department of public health—Establishment—Ap- pointment, powers, and duties of commissioner of health and other officers and employees—Appeals from orders of commissioner of health—Sanitary code—Advisory board.....	217
Toledo, Ohio.: Division of health—Establishment and duties of bureaus in—Salaries of employees.....	220
Wilkes-Barre, Pa.: Bureau of health—Establishment—Powers and duties of officers and employees.....	221
<b>Hospitals, homes, and nurseries:</b>	
Boston, Mass.: Hospitals—Construction and maintenance.....	226
Chicago, Ill.— Hospitals—License—Construction—Room for isolation of cases of communicable diseases—Care and discharge of typhoid fever cases—Records—Reports of cases of communicable diseases and other conditions—Reports of disposition of children— Reports to superintendent of police—Monthly reports to com- missioner of health—Records of maternity cases.....	227
Homes—License—Construction and sanitary requirements— Room for isolation of cases of communicable diseases—Con- sent of property owners to build or maintain home—Removal of dead bodies of inmates—Records of inmates to be kept— Reports of cases of communicable diseases—Monthly reports to commissioner of health—Reports of the disposition of infants and children—Inspection of homes—Revocation of license and closing of home.....	231
Day nurseries—Permit—Construction—Sanitary regulation— Room for isolation of cases of communicable diseases—Exami- nation of children for communicable diseases—Register of children received and reports of medical examinations to be kept—Reports of cases of communicable diseases—Monthly reports to commissioner of health—Inspection of nurseries— Revocation of permit and closing of nursery.....	235
New York, N. Y.: Children—Register to be kept by person holding permit to board and care for.....	239
<b>Ice cream and confectionery:</b>	
Bakersfield, Calif.: Ice cream, ices, etc.—Sale from vehicles.....	240
Maywood, Ill.: Ice cream and ices—Manufacture, care, and sale. Soda fountains—Cleanliness—Sterilization of utensils.....	240
Oklahoma City, Okla.: Ice cream, ices, and confectionery—Manufac- ture and sale—Physical examination of employees.....	242
Somerville, Mass.: Ice cream—Manufacture and sale.....	245
Wheeling, W. Va.: Ice cream—Manufacture, care, and sale.....	246
White Plains, N. Y.— Ice cream and similar frozen products—Manufacture and sale— Permit required.....	247
Ice cream and similar frozen products—Manufacture, care, and sale—Cleaning of utensils used in serving.....	248

Lodging, tenement, and rooming houses:	
El Paso, Tex.—	Page.
Lodging houses—Permit required—Sanitary regulation—Inspection	250
Tenement houses—Sanitary regulation—Vacation	251
Milwaukee, Wis.: Rooming houses—License—Sanitary regulation—	
Reports of cases of communicable diseases	252
Malaria and mosquitoes:	
Cambridge, Mass.: Mosquitoes—Prevention of breeding	255
Louisville, Ky.: Mosquitoes—Prevention of breeding	255
Memphis, Tenn.—	
Malaria and illness in which malaria is a contributory cause—	
Notification of cases. Reports of deaths from malaria	256
Dwellings—Screening required	256
Spartanburg, S. C.: Mosquitoes—Prevention of breeding	257
Toledo, Ohio: Mosquitoes—Prevention of breeding—Issuance of bonds	
for	258
Meat and meat-food products:	
Chicago, Ill.: Meat-food products establishments—Licensing—Construction—Sanitary regulation—Employees—Kind of meat to be used	260
Hartford, Conn.: Meat—Sale—Inspection of carcasses—Inspection of food establishments and slaughterhouses	264
Louisville, Ky.: Meat—Sale—Appointment, salaries, and duties of meat inspectors—Sanitary regulation of slaughtering and slaughterhouses	266
Milwaukee, Wis.: Meat—Sale—Preparation of meat-food products—Sanitary regulation of slaughtering and slaughterhouses	270
New York, N. Y.—	
Meat—Bringing of carcasses into city	276
Poultry slaughterhouses—Approval of site and plans and specifications—Permits	276
Omaha, Nebr.: Meat—Inspection and sale—Sanitary regulation of slaughtering, slaughterhouses, and meat-products establishments	278
Utica, N. Y.: Meat and meat-food products—Inspection—Sanitary regulation of slaughterhouses	294
Midwifery:	
Birmingham, Ala.: Midwifery—Permits required for practice of	298
Greenwich, Conn.: Midwifery—Regulation of practice of	298
Newark, N. J.—	
Midwifery—Regulation of practice of—Registration of midwives—Regulations authorized	301
Midwifery—Regulation of practice of—Reports by midwives	302
Port Chester, N. Y.: Midwives—Required to be licensed	306
Winston-Salem, N. C., Midwifery—Regulation of practice of—Reports by midwives	306
Milk and milk products:	
Baltimore, Md.: Milk and milk products—Production, handling, and sale	308
Buffalo, N. Y.: Milk and milk products—Sale—Grades of milk and cream—Pasteurization	318
Duluth, Minn.: Pasteurized milk and cream—Production, handling, and sale	320

Milk and milk products—Continued.	Page
Minneapolis, Minn.: Milk and milk products—Production, handling, and sale.....	322
New York, N. Y.—	
Milk and milk products—Terms defined.....	331
Unwholesome milk and milk products—Possession or sale prohibited.....	332
Adulterated milk and cream—Possession or sale prohibited.....	332
Adulterated milk and cream—Seizure and destruction authorized.....	333
Milk and cream—Sale—“Modified milk” defined.....	333
Milk and cream—Grades and designations.....	334
Milk and cream—Must conform to standards of particular grades.....	334
Bottles, cans, and other receptacles for holding milk and cream—Cleaning—Use for other purposes prohibited.....	334
Adulterated skimmed milk—Possession or sale prohibited—“Adulterated” defined.....	335
Reconstituted milk and reconstituted cream—Permit required for manufacture, possession, or sale—Possession or sale when adulterated prohibited—“Adulterated” defined—Cleaning and use of bottles, cans, and other receptacles for holding.....	335
Reconstituted milk and reconstituted cream—Production, handling, and sale.....	336
Milk and cream—Handling and sale.....	342
Milk and cream—Labeling—Records of receipts, deliveries, and sales—Sale of skimmed milk.....	344
Oklahoma City, Okla.: Milk and milk products—Production, handling, and sale.....	345
Port Chester, N. Y.: Milk and cream—Production, handling, and sale.....	353
Portland, Me.: Milk and milk products—Production, handling, and sale.....	357
St. Paul, Minn.: Milk and cream—Production, handling, and sale.....	360
Miscellaneous:	
Albany, N. Y.: Programs, circulars, and other printed matter—Distribution in halls and theaters.....	373
Chicago, Ill.: Division of air conditions control—Establishment, duties, officers, and employees—Prevention of smoke nuisance.....	373
Marquette, Mich.: Head lice—Children required to be free from.....	376
Milwaukee, Wis.: Dust—Prevention—Regulation of sweeping of porches and beating of rugs, bedding, old garments, etc.....	376
New York, N. Y.—	
Railroad cars, omnibuses, ferryboats, railroad stations, ferry-houses, etc.—Cleaning.....	377
Sanitary code—Punishment for violation of.....	377
Bells or gongs—When prohibited.....	377
Oakland, Calif.: Mattresses—Making, remaking, labeling, and sale.....	377
Philadelphia, Pa.—	
Rag shops, secondhand paper shops, and junk shops—Licenses—Sanitary regulation.....	380
Itinerant dealers in rags, secondhand paper, and junk—Licensing.....	382
Port Chester, N. Y.: Camps—Sanitary regulation.....	382
San Francisco (City and County), Calif.: Common cigar cutters—Prohibited.....	384

Miscellaneous—Continued.

Somerville, Mass.—	Page.
Offensive trades—Locations of.....	385
First-aid supplies required in factories.....	385
Springfield, Mass.: Common cigar cutters—Prohibited in public places.....	385
Trenton, N. J.: Rummage sales—Permits required—Secondhand mattresses.....	385
Nuisances:	
Berkeley, Calif.: Nuisances—Defined—Abatement.....	387
Louisville, Ky.: Nuisances—Defined—Abatement.....	388
Port Chester, N. Y.: Nuisances—Abatement.....	389
Patent medicines:	
Camden, N. J.: Patent medicines, medical literature, and medical advertisements—Free distribution.....	390
New York, N. Y.: Proprietary or patent medicines—Sale—Names of ingredients required to be registered in department of health.....	390
Schools:	
New York, N. Y.: Schools—Establishment and maintenance.....	392
Spitting:	
New York, N. Y.: Spitting—Prohibited in public places—Spittoons required in certain factories, stores, offices, etc.....	394
Norwich, Conn.: Spitting—Prohibited in public places.....	394
Port Chester, N. Y.: Spitting—Prohibited in public buildings and public conveyances.....	395
Somerville, Mass.: Spittoons—Required in factories and workshops.....	395
Wheeling, W. Va.: Spitting—Prohibited in public places.....	395
Stables and manure:	
Louisville, Ky.: Manure—Keeping, removal, and transportation—Construction of receptacles.....	396
Macon, Ga.: Stables—To be maintained in a sanitary condition. Manure—Keeping and removal—Construction of receptacles.....	396
New London, Conn.: Manure—Keeping, removal, and transportation.....	397
New York, N. Y.: Manure—Transportation.....	397
Portland, Me.: Stables, pens, etc.—To be maintained in a sanitary condition. Manure—Keeping, removal, and transportation—Construction of receptacles.....	397
Venereal diseases:	
Birmingham, Ala.—	
Venereal diseases—Notification of cases—Instructions and circular of information to be furnished patient—Examination of persons suspected of being infected—Sale of medicine—Duties of physicians and health officer—Reports to be confidential—Advertisements—Maintenance of dispensaries—Unlawful for infected person to expose others to infection—Repression of prostitution—Issuance of certificates of freedom from venereal disease.....	399
Venereal diseases—Examination for, of persons arrested and charged with certain offenses—Isolation and treatment when found infected.....	401
Denver (City and County), Colo.: Venereal diseases—Notification of cases—Quarantine and isolation—Sale of medicine—Reports by druggists.....	403

## Venereal diseases—Continued.

Louisville, Ky.: Venereal diseases—Notification of cases—Instructions to be given patient—Examination of persons suspected of being infected—Quarantine—Prescribing, recommending, and compounding medicine—Unlawful for infected person to expose others to infection—Repression of prostitution—Issuance of certificates of freedom from venereal disease—Records to be confidential.....	404
Milwaukee, Wis.: Venereal diseases—Posting of notices in toilets by commissioner of health.....	406
New Orleans, La.: Venereal diseases—Examination of prisoners for—Isolation and treatment when found infected.....	407
New York, N. Y.—	
Syphilis and gonorrhea—Notification of cases—Circular of information and instructions to be given patient—Reports to be confidential.....	409
Venereal diseases—Examination of certain persons for—Laboratory examinations—Treatment—Isolation—Hospitalization—Prohibited acts and occupations.....	409
Syphilis and gonorrhea—Dispensaries—Conduct and maintenance.....	413
Niagara Falls, N. Y.: Venereal diseases—Notification of cases—Treatment—Conduct of and precautions by infected persons—Prohibited occupations—Isolation—Hospitalization—Duties of physicians—Laboratory examinations—Circular of information and instructions to patient—Examination of certain persons.....	415
Philadelphia, Pa.: Venereal diseases—Notification of cases—Circular of information and instructions to be given patient—Quarantine—Hospitalization.....	417
Topeka, Kans.—	
Venereal diseases—Notification of cases—Circular of instructions and copy of ordinance to be given patient—Protective measures by health officer—Reports to be confidential—Examination of persons suspected of being infected—Isolation—Quarantine—Treatment—Repression of prostitution—Issuance of certificates of freedom from venereal disease—Detention hospital—Bond or cash guaranty in lieu of isolation or quarantine—Unlawful for infected persons to expose others to infection—Records to be kept by druggists.....	419
Venereal diseases and sexual ailments—Advertisements concerning, prohibited.....	422
Water supplies and ice:	
Berkeley, Calif.: Bottled water—Sale—Sanitary requirements.....	423
Columbus, Ga.: Drinking water—Use of wells or open cisterns prohibited when connections can be made with public water supply....	424
Louisville, Ky.—	
City water supply—Connections with, required when premises abut.....	424
Water supplies—Chemical and bacteriological tests—Use prohibited when polluted.....	424
Michigan City, Ind.: Ice—Cutting, manufacture, sale, and distribution.....	425
Milwaukee, Wis.: Water—Sale—Sanitary regulation—Physical examination of employees.....	425
Richmond, Va.: Wells and springs—Prevention of surface contamination.....	426



## **MUNICIPAL ORDINANCES, RULES, AND REGULATIONS PERTAINING TO PUBLIC HEALTH.**

**ADOPTED DURING 1917-1919 BY CITIES OF THE UNITED STATES  
HAVING A POPULATION OF OVER 10,000 IN 1910.**

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This volume is the eighth in the series of compilations of municipal ordinances and regulations pertaining to public health which have been issued by the Public Health Service. The preceding volumes are reprints Nos. 70, 121, 199, 230, 273, 364, and 388. The series, including this volume, comprises city ordinances and regulations adopted during the 10-year period from January 1, 1910, to December 31, 1919.

In this volume no attempt has been made to publish all the ordinances and regulations received from the various municipalities. The primary object has been to publish ordinances and regulations which might be useful to health officers and others who are called upon to draft health legislation.

Compilations of State laws and regulations pertaining to public health have also been published. These volumes are reprints Nos. 200, 264, 279, 338, 406, and Supplements Nos. 37 and 38. This series includes State laws and regulations enacted and adopted from July 1, 1911, to December 31, 1918.

## ANIMALS.<sup>1</sup>

### BIRMINGHAM, ALA.

#### Swine—Keeping. (Ord. 658-C, Nov. 5, 1919.)

SECTION 1. That section 1229 of the city code of 1917 be amended so as to read as follows:

It shall be unlawful to keep within the city of Birmingham any hog or swine of any kind except within a pen or inclosure having a water-tight smooth floor made of cement or concrete, or other substantial mineral pavement impervious to wear, and which is connected directly with a sanitary sewer in accordance with the ordinances regulating the installation of plumbing and the laying or construction of sewers. All such pens or inclosures where hogs or swine are kept shall be thoroughly cleaned and washed daily in such a manner that all filth, manure, and other material shall go directly into the sanitary sewer and not upon the ground.

*Provided*, That when not less than 2,500 square feet of ground space, well drained and free from standing water, is provided for each hog or swine a water-tight floor or sewer connection shall not be required.

All pens or inclosures of any description where hogs or swine are kept or fed within the city of Birmingham, shall be cleaned and kept in such a manner as not to be or become the source of obnoxious odors or other nuisance.

### KANSAS CITY, KANS.

#### Hogs—Keeping. (Ord. 16225, July 1, 1919.)

SECTION 1. That no person or persons, company or corporation shall keep hogs within the corporate limits of Kansas City, Kans., without first having permission from the health and sanitation department of the city of Kansas City, Kans.

SEC. 2. That said permission, obtained as aforesaid, may be at any time revoked when in the opinion of said health and sanitation department, the surroundings and conditions under which said hogs are kept may endanger the health and safety of the citizens of Kansas City, Kans.

SEC. 3. That no person or persons, company or corporation shall keep hogs within the corporate limits of said city without providing for said animals a concrete, brick, or creosoted block floor covering the entire inclosure in which said hogs are kept, and without thoroughly flushing or cleaning said cement, brick, or creosoted floor and inclosure at least once a day, the washing from said flushings to enter a closed sewer and remain at all times under ground until finally discharged from the exit of said sewer.

SEC. 4. That no slops or garbage or decayed vegetables, meats, or decayed substances of any kind be kept on or about the premises for the purposes of feeding said hogs.

<sup>1</sup> See also Meat and meat-food products, p. 260; Milk and milk products, p. 308; Stables and manure, p. 396.



SEC. 5. That any person or persons, company or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than \$5 or more than \$500.

### LITTLE ROCK, ARK.

#### Domestic Animals—Communicable Diseases—Notification of Cases—Prevention of Spread. (Ord. 2500, May 27, 1918.)

SECTION 1. It shall be unlawful to bring any animal having glanders, farcy, rabies, tuberculosis, or other communicable disease within the limits of the city of Little Rock, except for purpose of treatment or destruction.

SEC. 2. Any person, persons, concern or corporation owning, keeping or harboring any animal having either or any of said diseases and every veterinarian or other person who is called to examine or professionally attend said animal so diseased, shall, within 24 hours after the discovery of said disease, or said examination or professional call, report, in writing, to the health department of the city of Little Rock the following facts in regard thereto:

- a. The exact location of the diseased animal.
- b. The name and address of the owner thereof.
- c. The character and type of the disease.

SEC. 3. Any animal being within the limits of this city when said disease is discovered shall immediately be treated, or killed, or disposed of under the direction of the health department.

SEC. 4. The board of health of the city of Little Rock is hereby directed and ordered to promulgate suitable regulations, not in conflict with this ordinance, governing the care or disposition of any dead or diseased animal found within the limits of this city.

SEC. 5. Any person, concern or corporation failing to comply with the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than \$25 nor more than \$100.

### LOS ANGELES, CALIF.

#### Swine—Keeping—Feeding Garbage and Offal to. (Ord. 37465, Sept. 24, 1917.)

SECTION 1. It shall be unlawful for any person, firm or corporation to keep or to cause or permit to be kept, any swine upon any premises in the city of Los Angeles, unless such premises shall be comprised of an area of 1 acre or more. Every person, firm or corporation may keep one additional swine for each additional acre owned or controlled by such person, firm or corporation: *Provided, however,* That the number of swine that shall be kept upon any premises in said city shall not exceed five in number: *Provided, however,* That the provisions of this section shall not apply to those certain districts set apart as slaughterhouse districts, as set forth in ordinance No. 10909 (new series), or to that portion of the city of Los Angeles bounded and described as follows: [Description of certain area follows.]

No swine shall be kept upon any premises in said city within a distance of 100 feet of any public building, church, school or dwelling. Every pen constructed or intended to be constructed and in which swine are kept, is hereby required to be floored with cement or concrete, or plank of not less than 2 inches in thickness. All floor joists shall be tightly calked and filled with tar

or asphaltum, and every such cement, concrete or plank flooring is hereby required to be so placed and connected as to be properly and easily drained, and the same shall be drained into an accepted sewer or cesspool. Every such pen shall be provided with running water and the owner, lessee or person, firm or corporation having charge of or in control of any such pen is hereby required to keep any such pen in a cleanly and sanitary manner and condition.

SEC. 2. It shall be unlawful for any person, firm, or corporation to feed or cause or permit to be fed, any offal or garbage to swine upon any premises in the city of Los Angeles, except garbage from the household of the owner of such swine, without first obtaining a permit from the health commissioner of the city of Los Angeles so to do, as hereinafter provided.

SEC. 3. Every person, firm, or corporation desiring to feed garbage or offal to swine in or upon any premises in the city of Los Angeles, except garbage from the household of the owner of such swine, shall make application therefor, and obtain from health commissioner of said city a permit so to do. Every such application shall be made upon blanks furnished therefor by the said health commissioner, and shall state the name and business address of the applicant, the location of the premises by street and number, wherein or whereon it is proposed to feed garbage or offal to swine, or if the same has no street number, then such description as will enable the same to be easily found; the character of the business proposed to be conducted or carried on by said applicant, and, if the applicant be a corporation, then the names and places of residence of the officers of such corporation, or if the applicant be a firm or partnership, then the names and places of residence of its members. Every such application shall be verified and signed by the applicant, and shall be filed in the office of the health commissioner.

SEC. 4. If the existing sanitary conditions in said place comply with the ordinances of the city of Los Angeles, with the provisions of this ordinance, and conform to the rules and regulations of the health department of said city regulating the sanitary condition of such places, the said health commissioner shall grant the permit applied for: *Provided, however,* That if upon examination and inspection of any such place, it shall be found to be kept or conducted in an unsanitary manner, or in violation of the provisions of the ordinances of said city, or with the provisions of this ordinance, or the rules and regulations of the health department regulating the sanitary condition of such places, the health commissioner may suspend the permit granted to any person, firm, or corporation to conduct any such place until such person, firm, or corporation shall cause such place to be put in a sanitary condition and shall have complied with the provisions of the ordinances of said city, and with the provisions of this ordinance and with the rules and regulations of the health department regulating the sanitary conditions of any such place.

SEC. 5. It shall be the duty of health commissioner to enforce the provisions of this ordinance, and the said health commissioner and his deputies are hereby empowered to enter any place in the city of Los Angeles, where swine are kept, to examine and inspect the same, to ascertain whether such place is kept or maintained in an unclean or unsanitary manner or condition, or whether any such place is kept or maintained in violation of the provisions of the ordinances of said city, or with the provisions of this ordinance, or with the rules and regulations of the health department regulating the sanitary condition of such places.

SEC. 6. It shall be unlawful for any person, firm, or corporation to refuse to allow the health commissioner, or his deputies, to enter any portion of any such place, or to interfere in any manner with the examination or inspection

by the health commissioner, or his deputies, of any such place, or of any garbage, offal or other substance used, or intended to be used, to feed swine.

SEC. 7. If, upon examination and inspection, any such place shall be found to be kept or conducted in an unsanitary manner, or in violation of the provisions of the ordinances of said city, or with the provisions of this ordinance, or with the rules and regulations of the health department regulating the sanitary condition of such places, the said health commissioner shall by a notice in writing, require the owner, lessee, manager, agent, or other person in charge of, or in authority over such place, to cause the same to be cleaned and placed in a sanitary condition within a reasonable time (dependent upon the character of the work to be done), after the date of service of said notice, and any person failing to comply with the requirements of the said notice shall be guilty of a misdemeanor, and shall be punishable as herein provided.

SEC. 8. It shall be unlawful for any person, firm, or corporation to feed, or cause or permit to be fed, any offal or garbage to swine, upon any premises in the city of Los Angeles, except garbage from the household of the owner of such swine, except in those certain districts of said city set apart as slaughterhouse districts, or in that portion of the city of Los Angeles bounded and described as follows: [Description of area follows.]

SEC. 9. It shall be unlawful for any person, firm, or corporation to feed, or cause or permit to be fed, any offal or garbage to swine, except garbage from the household of the owner of such swine, within 500 feet of any church, schoolhouse, or hospital in the city of Los Angeles.

SEC. 10. It shall be unlawful for any person, firm, or corporation to feed, or cause or permit to be fed, any garbage or offal to swine in the city of Los Angeles, except upon a platform or place the floor of which shall be constructed of concrete, cement, or plank not less than 2 inches in thickness. All joints in any such platform or place shall be tightly calked and filled with tar or asphaltum, and every such platform or place shall be so placed as to be properly and easily drained, and every such platform or place shall be provided with running water, and the owner, lessee, firm, or corporation having charge of or in control of any such place is hereby required to keep such platform or place in a cleanly and sanitary manner and condition.

SEC. 11. It shall be unlawful for any person, firm, or corporation to feed, or cause or permit to be fed, any offal or garbage to swine upon any premises in the city of Los Angeles, except garbage from the household of the owner of such swine, unless such offal and garbage has been sterilized by subjecting such garbage and offal to a temperature of 212° F. continuously for a period of 20 minutes.

SEC. 12. For the purpose of this ordinance the word "garbage" is hereby defined to be all animal and vegetable refuse from kitchens and all household waste that shall have been prepared for or intended to be used as food or shall have resulted from the preparation of food.

For the purpose of this ordinance the word "offal" is hereby defined to be the rejected or waste parts of any animal, fish, or fowl which are unfit for human consumption.

For the purpose of this ordinance the words "household of the owner of such swine" are hereby defined to mean the residence of such owner upon the premises where such swine are kept.

SEC. 13. That section 7 of ordinance No. 23660 (new series), entitled "An ordinance regulating the keeping of cows and other animals within certain limits of the city of Los Angeles," approved November 3, 1911, be, and the same is hereby, repealed.

SEC. 14. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than \$500 or by imprisonment in the city jail for a period of not more than six months, or by both such fine and imprisonment.

#### NEW YORK, N. Y.

##### Horses—Required to Be Tested for Glanders. (Res. Bd. of H., Dec. 28, 1917.)

*Resolved*, That article 2 of the sanitary code be amended by adding thereto a new section, known as section 21, to read as follows:

SEC. 21. *Horses to be tested for glanders.*—No horse shall be brought into or kept in the city of New York unless it shall have been tested and found to be free from glanders by a duly licensed veterinarian in accordance with the regulations of the board of health.

##### Horses—Examination and Testing for Glanders. (Res. Bd. of H., Dec. 28, 1917.)

*Resolved*, That the following regulations governing the examination and testing of horses for glanders be adopted, to read as follows:

REGULATION 1. *Horses brought into the city to be accompanied by certificate.*—No horse shall be brought into the city of New York which has not, within 60 days, been tested with ophthalmic mallein by a duly licensed veterinarian and found to be free from glanders. Every such horse, at the time of admission into the city of New York, shall be accompanied by a certificate stating that said horse is free from glanders so far as may be ascertained by a physical examination and the application of the ophthalmic mallein test. Such certificate shall be filed with the department of health within 48 hours and shall be in accordance with the form prescribed in regulation 3 hereof.

REG. 2. *Horses in the city of New York to be tested.*—Every horse in the city of New York shall within 90 days after the adoption of this regulation be tested by a duly licensed veterinarian or a veterinarian of the department of health of the city of New York to determine its freedom from glanders. Every such veterinarian after completing such test and finding such horse free from glanders shall, within five days thereafter, file a certificate with the department of health of the city of New York upon forms issued or approved by said department.

REG. 3. *Certificate.*—The certificate issued by the licensed veterinarian performing the tests in accordance with regulations 1 and 2 hereof shall contain the following information:

- a. Date of examination.
- b. A physical description of the horse sufficiently accurate for the purpose of identification.
- c. Place where physical examination was performed and ophthalmic mallein test applied.
- d. Number of certificate.
- e. Corresponding number of tag or other identification attached to horse.
- f. Certification by veterinarian applying the test to the effect that the horse was free from glanders at the time of physical examination and the application of the ophthalmic mallein test.
- g. Signature of veterinarian.
- h. Date and place of registration.

4. Name of laboratory producing the ophthalmic mallein used in making the test.

REG. 4. *Tagging and branding.*—The certificate issued by a veterinarian in conformity with regulations 1 and 2 hereof shall bear a number which must correspond with the numbered tag attached to the ear of the horse or a numbered hoof brand.

REG. 5. *Retest.*—Every horse shall be physically examined and tested with ophthalmic mallein to determine its freedom from glanders once in every six months. Every veterinarian performing such retest shall, in each instance, file with the department of health within five days thereafter a certificate issued or approved by said department showing the result of such test.

REG. 6. *Sale of horses at public auction restricted.*—No horse shall be offered for sale at public auction in the city of New York unless it shall have been tested and branded or tagged in the manner provided for in these regulations.

**Dogs or Other Animals—Prevention of Nuisances by, in Public Places. (Reg. Bd. of H., Nov. 4, 1918.)**

SEC. 227. *Dogs to be controlled so as not to commit nuisances.*—No person having the right and ability to prevent shall, knowingly, or carelessly or negligently, permit any dog or other animal to commit any nuisance upon any sidewalk of any public street, avenue, park, public square, or place in the city of New York; or upon the floor of any hall of any tenement house which is used in common by the tenants thereof; or upon the fences of any premises, or the walls or stairways of any building, abutting on a public street, avenue, park, public square, or place; or upon the floor of any theater, store, factory, or any building which is used in common by the public, including all public rooms or places therewith connected; or upon the floor of any ferry house, depot, or station; or upon the station platform or stairs of any railroad or other common carrier; or upon the roof of any tenement house used in common by the tenants thereof; or upon the floor of any hall, stairway, or office of any hotel or lodging house which is used in common by the guests thereof; nor shall any such person omit to do any reasonable and proper act, or take any reasonable and proper precaution, to prevent any such dog or other animal from committing such a nuisance in, on, or upon any of the places or premises herein specified.

**Birds or Small Animals—Keeping for Sale—Use of Certain Rooms Prohibited. (Reg. Bd. of H., Mar. 28, 1918.)**

REG. 6. *Living rooms not to be used for sale of birds or small animals.*—No living room or room in which food or drink intended for human consumption is prepared, sold, handled, or stored shall be used for the keeping for sale of birds or small animals.



## **BARBER AND MANICURE SHOPS, BEAUTY PARLORS, AND BATHING ESTABLISHMENTS.**

### **JACKSONVILLE, FLA.**

#### **Barber and Manicure Shops, Beauty Parlors, and Public Baths—Sanitary Regulation—Certificates of Health from Employees. (Ord. O-58, Oct. 1, 1918.)**

SECTION 1. That on and after October 1, 1918, no owner, proprietor or manager of any barber or hairdressing shop, manicure or beauty parlor, or public bath shall knowingly permit any person to act as a barber, hairdresser or manicurist, or bath attendant who suffers from any disease of a communicable nature, and to that end all persons who shall offer their services to the public as barbers, hairdressers or manicurists, or bath attendants shall, from time to time, file with the city health officer a certificate from a licensed physician showing freedom from communicable disease.

SEC. 2. No person affected with any skin or scalp disease or any contagious disease shall be served in any public hairdressing, manicure or beauty parlor or barber shop or public bath.

SEC. 3. All shops or places of business where the public are served by barbers, hairdressers, manicurists, or bath attendants shall be equipped with running hot water and other appliances which will enable persons employed to comply with the requirements of this ordinance and the shop, parlors, or bathrooms, furniture, tools, and appliances must be kept in good sanitary condition at all times. In barber shops, hairdressing, and beauty and manicure parlors all combs, hairbrushes, or other articles used about the body must be washed and kept clean after each use. Mugs, shaving brushes, razors, scissors, pincers, clippers, or other instruments must be sterilized by an approved steam sterilizer, immersion in boiling water, or by some approved suitable antiseptic after use. No barber, hairdresser, or manicurist shall use for any customer's service any towel or wash cloth that has not been boiled since last being used. After serving each customer or before serving a new customer and after visiting the toilet the hands of the operator must be thoroughly washed. The headrest of barbers' or hair dressers' chairs must be covered by clean paper or by a fresh, clean towel for each person resting their head thereon. Rubber collar protectors are prohibited. Cut hairs from face or neck shall not be removed except by mechanical blowers or sanitary brush. Cuspidors must be provided and kept clean.

SEC. 4. No person shall treat any skin disease except upon advice of a licensed physician. The use of any chemicals to check the flow of blood is prohibited unless the same is applied in powdered or liquid form and then upon a clean towel or applicator. Copies of these regulations to be posted conspicuously in every shop.

SEC. 5. In all public baths where there is a pool every person desiring to use the pool shall first take an individual shower or tub bath. No person suffering with any cough, cold, or any disease of the skin or any other communicable disease shall be allowed to bathe in a public pool. Public bathing suits and

towels used by different people shall, after use, and before reuse, be sterilized by methods to be approved by the health officer. These regulations are to be kept posted in a conspicuous place at all times. The health officer is empowered to prohibit the use of any public baths where the water or surroundings are polluted and the conditions insanitary.

SEC. 6. Any person or persons violating any of the provisions of this ordinance shall, upon conviction in the municipal court, be fined in the sum of not more than \$50 or [imprisoned not] more than 90 days.

### **LITTLE ROCK, ARK.**

#### **Barber and Manicure Shops—Sanitary Regulation—Certificates of Health from Employees. (Ord. 2489, Mar. 11, 1918.)**

SECTION 1. From and after the passage of this ordinance it shall be unlawful for any person to perform any work or services as a barber or manicurist in the city of Little Rock until such person shall have first obtained a certificate from the city health department or the United States Public Health Service showing that said person is free from communicable disease or venereal disease in a communicable stage.

SEC. 2. All barber shops, together with all furniture, shall be kept in a clean and sanitary condition. Mugs, shaving brushes, razors, scissors, clipping machines, pincers, needles, and other instruments shall be cleaned and sterilized either by steam, boiling water or in alcohol of at least 60 per cent strength after each separate use. Combs and brushes shall be thoroughly sterilized after each separate use. A separate clean towel shall be used for each person. Alum or other material used to stop the flow of blood shall be applied only on a towel or other clean cloth. The use of powder puffs and sponges is prohibited. Every barber shop shall be kept well lighted, ventilated, and provided with hot and cold water. Head rests of chairs shall be covered with a towel that has been washed since having been used before, or by clean new paper. Every barber shall cleanse his hands immediately and thoroughly before serving each customer. No person shall use a barber shop as a dormitory, nor shall any part of the shop be so used. No barber shall undertake to treat any disease of the skin or any lesions of the skin whatsoever, such as pimples, boils, warts, moles, and the like.

SEC. 3. When, after examination, the city health officer shall find any barber shop or manicurist shop, or any person performing any work or services as a barber or manicurist, unsanitary or dangerous to the public health, the health officer of the city of Little Rock shall cite the person or persons in charge of, owning, or operating same, to appear before the judge of the municipal court, who, after hearing the complaint filed, shall make whatever order is necessary to cause said business to be immediately put into a safe and sanitary condition, or he may order same closed at his discretion and until it has been shown that said business had been put into a safe and sanitary condition, and may order the services of any person or persons not meeting the above requirements dispensed with.

### **LOS ANGELES, CALIF.**

#### **Barber Shops—Sanitary Regulation—Licensing and Physical Examination of Barbers. (Ord. 38274, June 6, 1918.)**

SECTION 1. It shall be unlawful for any person afflicted with pulmonary tuberculosis or with any venereal disease in a communicable form or other infectious



or contagious disease, to serve any other person as a barber in the city of Los Angeles.

SEC. 2. It shall be unlawful for any barber to serve in his place of business any person or customer who appears to be suffering from any contagious or infectious disease. It shall be unlawful for any barber to use any tool, implement, or device in the occupation of barbering, and which is being used in the performance of services upon other persons, upon any person who appears to be suffering from any contagious or infectious disease.

SEC. 3. It shall be unlawful for any person to use any mug, shaving brush, razor, needle, shears, forceps, or any metal instrument of any kind in the performance of any services upon or for any other person in any barber shop unless such mug, shaving brush, razor, needle, forceps, or other metal instrument (except clippers) shall have been cleaned and sterilized immediately before using the same.

SEC. 4. It shall be unlawful for any person, firm, or corporation managing, conducting, or carrying on a barber shop to fail, refuse, or neglect to keep such barber shop and all appurtenances thereof and all tools, instruments, and appliances used therein, in a clean and sanitary condition.

SEC. 5. It shall be unlawful for any person, firm, or corporation managing, conducting, or carrying on a barber shop to fail, refuse, or neglect to supply running hot and cold water for use in such barber shop, and it shall be unlawful for any person to use any water in or about the performance of any services upon or for any other person in any barber shop except such water as is furnished from such running water supply, and it shall be unlawful for any person to use any water in or about the performance of any services upon or for any person in any barber shop which has previously been used for any service or purpose in such barber shop.

SEC. 6. It shall be unlawful for any person to use or permit to be used any towel or other cloth in the performance of any service upon or for any other person in any barber shop that has been previously used for any purpose, unless such towel or other cloth shall have been laundered since such previous use, and is in a clean and fresh condition: *Provided, however,* That the provisions of this section shall not apply to any cloth used to cover the clothing of any person upon or for whom any service is being performed: *And providing, also,* That it shall be unlawful to permit said last-mentioned cloth to come in contact with the skin of any person except the hands of such person upon or for whom any service is being performed.

SEC. 7. It shall be unlawful for any person to fail, refuse, or neglect to wear a clean washable apron, coat, or other outer garment while such person is engaged in the performance of any service upon or for any other person in any barber shop.

SEC. 8. It shall be unlawful for any person to use alum or any other material for the purpose of stopping the flow of blood from any other person in any barber shop, unless such alum or other material is in powdered form.

SEC. 9. It shall be unlawful for any person to use any sponge or powder puff in the performance of any service upon or for any other person in any barber shop.

SEC. 10. It shall be unlawful for any person to perform any service upon or for any other person in any barber shop, unless such person performing such service shall have thoroughly cleansed his hands immediately before performing such service.

SEC. 11. It shall be unlawful for any person, firm, or corporation managing, conducting or carrying on a barber shop to permit or allow any person to use the room, in which the same is conducted, as a sleeping apartment, and it shall

be unlawful for any person to use the room in which any barber shop is conducted as a sleeping apartment.

SEC. 12. It shall be unlawful for any person to serve as a barber in the city of Los Angeles without first having obtained a permit so to do from the health commissioner of said city, and a license therefor as hereinafter provided. Every person desiring a permit to serve as a barber in said city shall make a written application therefor to the health commissioner upon a form to be prepared and furnished by said health commissioner, and shall personally present himself before the health commissioner for physical examination; if the applicant shall be found by such examination to be afflicted with any one of the diseases described or referred to in section 1 hereof, the health commissioner shall refuse to issue such permit, otherwise such permit shall be issued immediately.

SEC. 13. At the time of the presentation of the application for a permit under this ordinance, the applicant shall pay to the health commissioner as a fee for the examination herein provided for, the sum of \$3. Such permit when issued shall entitle the holder thereof to obtain a license from the city clerk in accordance with such permit, upon the payment to said city clerk of the fee provided for by the license ordinance of the city of Los Angeles. Such license shall bear such data as the health commissioner shall specify. Upon the delivery of such license to the holder of said permit, such permit shall be filed with the city clerk. Such license shall entitle the applicant to serve as a barber in the city of Los Angeles for the term of one year only from and after the date of its issuance. Every person to whom a permit is issued shall register his name and post-office address or any change of his post-office address with the health commissioner, and the health commissioner may require such person to appear before him for reexamination. If any such person shall fail to appear before the health commissioner and submit himself for reexamination, within 10 days from the date of the mailing of a notice by the health commissioner to such person at his last designated address, requiring his appearance before the health commissioner, or if any such person shall, after reexamination, be determined by the health commissioner to be afflicted with any of the diseases described in or referred to in section 1 of this ordinance, the permit and license heretofore issued to such person shall be revoked and the same shall thereupon become null and void and of no effect. No fee shall be charged for such reexamination other than an annual examination.

SEC. 14. It shall be unlawful for any person, firm, or corporation managing or conducting a barber shop to employ or permit any person to act as a barber in such shop unless such person shall be licensed as herein provided. Each and every barber in the city of Los Angeles shall keep posted in a conspicuous place at his place of business his license to act as a barber.

SEC. 15. It shall be unlawful for any person, firm, or corporation conducting or managing any barber shop to refuse to allow the health commissioner or his deputies, or any duly authorized inspector, to enter any portion of such barber shop, or to interfere in any manner whatsoever with the examination or inspection by said health commissioner, his deputies or inspectors, of any barber shop or portion thereof, or any tools or implements used in carrying on such business.

SEC. 16. It shall be the duty of the health commissioner to enforce the provisions of this ordinance, and said health commissioner and his deputies and inspectors are hereby authorized to enter any barber shop in the city of Los Angeles when the same is open for business for the purpose of inspecting the same and the contents thereof. If upon examination and inspection of any barber shop the same or any portion thereof, or any tool or implement used therein, is found to be in an unclean or unsanitary condition, the health commissioner or

his deputies or inspectors shall by notice in writing require the owner, lessee, manager, agent, or other person in charge of or in authority over such barber shop, to cause the same to be cleaned and placed in a sanitary condition within a reasonable time (dependent upon the character of the work to be done) after the date of the service of such notice, and any person failing to comply with the requirements of the said notice shall be guilty of a misdemeanor and shall be punished as herein provided.

SEC. 17. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine not exceeding \$300, or by imprisonment in the city jail for a period of not more than six months, or by both such fine and imprisonment. Each such person, firm, or corporation shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provision of this ordinance is continued or permitted by any such person, firm, or corporation, and shall be punishable therefor as provided by this ordinance. Any person convicted of a violation of any of the provisions of this ordinance shall have his permit and license to act as a barber revoked, and notice thereof shall be given to the city clerk by the health commissioner.

SEC. 18. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The city council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SEC. 19. Ordinance No. 25353 (new series), entitled, "An ordinance regulating barber shops," approved on the 26th day of June, 1912, and all ordinances amendatory thereto or thereof and all other ordinances or parts of ordinances in conflict herewith are hereby repealed: *Provided*, That any such repeal shall not affect or prevent the prosecution and punishment of any person, firm, or corporation for any act done or permitted in violation of any ordinance which may be repealed by this ordinance and shall not affect any prosecution or action which may be pending in any court for the violation of any ordinance repealed by this ordinance.

#### NEW YORK, N. Y.

##### **Bathing Establishments—Permits Required. (Res. Bd. of H., June 28, 1917.)**

*Resolved*, That section 340 of the sanitary code be and the same is hereby amended to read as follows:

SEC. 340. *Bathing establishments regulated.*—Bathing suits shall not be hired out, nor shall any bathing establishment be maintained in the city of New York without a permit therefor issued by the board of health or otherwise than in accordance with the terms of said permit and the regulations of said board. For the purpose of this section, the expression "bathing establishment" shall be taken to mean and include every building, room, inclosure, place, or premises wherein bathing is permitted for hire, or wherein bathing suits are hired out, or which, for hire, is used for the purpose of dressing or undressing in connection with the wearing, putting on, or taking off of bathing suits.

##### **Bathing Establishments—Regulation. (Res. Bd. of H., June 28, 1917.)**

*Resolved*, That the regulations governing the establishment and maintenance of bathing establishments be and the same are hereby generally revised and amended and made to read as follows:

GENERAL REGULATIONS APPLYING TO ALL BATHING ESTABLISHMENTS.

REGULATION 1. *Water-closet accommodations.*—Separate and suitable water-closet accommodations for each sex shall be provided in the ratio of one water-closet to every 100 persons or fraction thereof of the sex for which such water-closet accommodations are provided. They shall be conveniently located in properly ventilated compartments approved by the department of health. Such water-closets and water-closet compartments shall be maintained in a clean and sanitary condition. Every such water-closet shall be adequately flushed, properly trapped, and sewer or cesspool connected. Cesspools shall not be permitted where there is a sewer in the street to which the premises can be connected. Where cesspools are permitted, they must be water-tight, unless otherwise allowed by a permit from the department of health.

REG. 2. *Drinking water to be provided.*—An adequate supply of drinking water, furnished by means of sanitary bubble fountains or individual cups, shall be provided for bathers. Water from wells in the borough of Manhattan shall not be used for drinking purposes. Water from wells in the other boroughs, other than the public water supply, shall not be used without a permit from the board of health.

REG. 3. *Premises to be maintained in sanitary condition.*—Bathing establishment and premises upon which the bathing establishment is located shall be maintained in a cleanly and sanitary condition.

REG. 4. *Bathing suits, towels, etc., to be sterilized.*—Suitable and adequate facilities shall be provided for sterilizing bathing suits, towels, shoes, stockings, caps, and other articles owned or remaining in the custody of the bathing establishment to be hired out or distributed for use by bathers. All such articles shall be properly sterilized after being used by bathers, and no such article shall, under any circumstances, be used a second time unless it shall have been, after the previous use thereof, so sterilized.

REG. 5. *Use of common towels, etc., prohibited.*—The use of common towels, cups, combs, or brushes, or the furnishing of any such common towel, cup, comb, or brush, is prohibited.

REG. 6. *Dressing rooms.*—Suitable and separate dressing rooms shall be provided for each sex, and notices to that effect shall be painted on the outside of the entrances thereto. Separate passageways or hallways leading to the dressing rooms occupied by males and females, respectively, shall be provided. Every such passageway or hallway shall be effectively screened by a partition or vestibule.

REG. 7. *Regulations to be kept posted.*—A copy of the regulations of the board of health relating to bathing establishments shall be posted in a conspicuous place inside of the establishment.

ADDITIONAL REGULATIONS GOVERNING THE CONDUCT AND MAINTENANCE OF BUILDINGS, ROOMS, INCLOSURES, PLACES, OR PREMISES WHICH, FOR HIRE, ARE USED FOR THE PURPOSE OF DRESSING OR UNDESSING IN CONNECTION WITH THE WEARING, PUTTING ON, OR TAKING OFF OF BATHING SUITS.

REG. 8. *Use of cellars prohibited.*—No room located in the cellar of a building shall be used, or permitted to be used, as a bathing establishment.

REG. 9. *Use of rooms occupied for domestic purposes prohibited.*—No room used as a kitchen, dining room, sitting room, bathroom, sleeping room, or for other domestic purposes shall be used, or permitted to be used, as a bathing establishment.

REG. 10. *Drainage.*—Waste water from showers, tubs, dressing rooms, water-closets, sinks, or platforms shall be discharged into the sewer or cesspool to which the premises is connected.

ADDITIONAL REGULATIONS GOVERNING THE CONDUCT AND MAINTENANCE OF BATHING ESTABLISHMENTS USING WATER OTHER THAN SEA WATER FOR BATHING PURPOSES.

REG. 11. *Pools, plunges, and mikvehs to be emptied and cleaned daily; water to be suitable for bathing purposes.*—The pools, plunges, and mikvehs shall be emptied of water daily and the bottom and side walls of same shall be thoroughly scrubbed before refilling, or the water shall be mechanically filtered through sand or other approved material and then so treated by chlorination, or by some other effective method approved by the department of health, as not to contain more than 10 bacilli of the colon group in 1 cubic centimeter of such water. The water of the pools, plunges, and mikvehs shall be maintained in a condition suitable for bathing purposes at all times.

REG. 12. *Construction of stairs and stair supports to pools, etc.*—The stairs and stair supports leading to pools, plunges, and mikvehs shall be of metal, stone, or cement.

REG. 13. *Floors to be impervious to dampness.*—The floors of bathrooms shall be made impervious to dampness and, where so ordered by the department of health, graded to properly trapped sewer or cesspool connected drains.

REG. 14. *Side walls of bathrooms to be protected.*—The side walls of bathrooms shall be painted with two coats of white enamel paint or covered with nonabsorbent material to a height of at least 6 feet above the floor.

REG. 15. *Waste to discharge outside of pool, etc.*—The waste water from showers, tubs, dressing rooms, water-closets, sinks, and platforms shall be discharged outside of the pools, plunges, or mikvehs.

REG. 16. *Mats to be of rubber.*—Where mats are used, they shall be made of rubber.

REG. 17. *Cushions and mattresses to be covered.*—All cushions and mattresses shall be covered with nonabsorbent material.

REG. 18. *Clean towels to be provided.*—Clean individual towels shall be provided for each person.

REG. 19. *Persons with infectious diseases to be excluded.*—Persons suffering from any form of contagious, communicable, or infectious disease shall not be permitted to enter or use the pools, plunges, or mikvehs.

REG. 20. *Bathers to take shower baths.*—Every bather, before being allowed access to pools, plunges, or mikvehs, shall be required to take a cleansing shower, using warm water and soap, and to use toilet accommodations.

REG. 21. *Bathers not to commit nuisance.*—Bathers shall not commit, or be permitted to commit, any form of nuisance in pools, plunges, or mikvehs.

ADDITIONAL REGULATIONS GOVERNING THE CONDUCT AND MAINTENANCE OF FLOATING BATHS AND STATIONARY POOL BATHS USING FOR BATHING PURPOSES THE WATERS ALONG AND HUDSON RIVER, THE HARLEM RIVER, OR TO THE WEST OF A LINE DRAWN BETWEEN FORT SCHUYLER AND WILLETT'S POINT, OR NORTH OF A LINE DRAWN BETWEEN NORTON'S POINT, CONEY ISLAND, AND THE NORTHERLY BOUNDARY OF THE FORT WADSWORTH RESERVATION ON STATEN ISLAND, OR IN THE ARTHUR KILLS ON THE WEST OF STATEN ISLAND, THE KILL VON KULL, AND THE UPPER BAY.

REG. 22. *Baths to be water-tight.*—The floating baths and stationary pool baths shall be maintained water-tight, so as to prevent contamination of the contents of the pool by external sources.

REG. 23. *Water to be filtered and treated; maintenance of water.*—Wherever floating baths or stationary pool baths do not use sea water obtained from the river or harbor in the area above described, such water shall be maintained in a condition suitable for bathing purposes at all times and shall be filtered,



chlorinated, or otherwise treated as approved by the department of health, so as not to contain more than 10 bacilli of the colon group in 1 cubic centimeter of such water. Wherever sea water obtained within the area above described is used, it shall be filtered through sand or other mechanical means of separation and so treated by chlorination, or by other means approved by the department of health, as to render it clean and sanitary. The water of such pools shall be maintained, at all times, so as not to contain more than 30 bacilli of the colon group in 1 cubic centimeter of such water.

REG. 24. *Waste water to be discharged outside of pools.*—The waste water from showers, tubs, dressing rooms, water-closets, sinks, and platforms shall be discharged outside of pool.

REG. 25. *Persons with infectious disease to be excluded.*—Persons suffering from any form of contagious, communicable, or infectious disease shall not be permitted to enter or use the pools.

REG. 26. *Bathers to take shower baths.*—Every bather, before being allowed access to the pools, shall be required to take a cleansing shower, using water and soap, and shall be required to use the toilet accommodations.

REG. 27. *Bathers not to commit nuisance.*—Bathers shall not commit, or be permitted to commit, any form of nuisance in the pools.

#### ADDITIONAL REGULATIONS GOVERNING THE CONDUCT OF BEACH BATHING ESTABLISHMENTS.

REG. 28. *Location of beach bathing establishments restricted.*—No permit shall be issued for the maintenance of a beach bathing establishment along that portion of the water front of the city of New York included within the following designated boundary lines:

1. *Borough of Manhattan.*—(a) From the Ship Canal at Spuyten Duyvil, along the Hudson River, to the Battery.

(b) From the Battery, along the East River, to the Harlem River.

(c) From the Hudson River, along the Ship Canal at Spuyten Duyvil and the Harlem River, to the East River.

2. *Borough of The Bronx.*—(a) From the boundary line between the cities of New York and Yonkers, along the Hudson River, to the Ship Canal at Spuyten Duyvil.

(b) From the Hudson River, along the Ship Canal at Spuyten Duyvil and the Harlem River, to the East River.

(c) From the Harlem River, along the East River, to Fort Schuyler.

3. *Borough of Queens.*—From Willets Point, along the East River, to Newtown Creek, including Little Bay, Powells Cove, Flushing Bay, and Bowery Bay.

4. *Borough of Brooklyn.*—From Newtown Creek, along the East River, Upper New York Bay, including Gowanus Bay, the Narrows, and Gravesend Bay, to Nortons Point, Coney Island.

5. *Borough of Richmond.*—(a) From Tottenville, along the Arthur Kills and Kill von Kull River, to New Brighton.

(b) From New Brighton, along the upper New York Bay and the Narrows, to the northerly boundary of Fort Wadsworth Reservation.

REG. 29. *Bathing beach near sewer outlet prohibited.*—No bathing beach shall be maintained within 500 feet of the point of discharge of the outlet of any sewer, the flow of which would contribute, in any way, to the pollution of the waters used by bathers.

REG. 30. *Life lines and danger signs to be provided.*—Life lines and danger signs must be provided in accordance with the provisions of section 341 of the sanitary code.

REG. 31. *Surf boats, life lines, etc., to be provided.*—A surf boat, not less than 16 feet long, shall be provided, on each side of which there shall be hanging ropes arranged so that persons in the water can easily catch hold of same or be supported thereby. Such boats shall be equipped with two or more sets of oars and life lines and life belts, and at least one ring buoy or life preserver with quarter-inch cotton line not less than 500 feet in length with suitable reel attached thereto.

At such bathing establishments where there are equipments for 200 bathers or more, said surf or life boat shall be stationed in the water opposite the lines, manned and in readiness for use during bathing hours.

REG. 32. *Reel and life lines to be provided on shore.*—There shall be anchored on the shore a suitable reel with a half-inch cotton line not less than 500 feet in length with a life belt attached thereto, kept in good order and in proper condition so that it can readily be used by those assisting in saving life.

REG. 33. *Life guard to be in attendance.*—A bathing master or life guard who shall be an expert swimmer and who shall be in constant and watchful attendance during bathing hours shall be stationed at every such bathing establishment.

#### PORT CHESTER, N. Y.

#### Barber Shops—Sanitary Regulation. Barbers, Manicures, and Chiropodists—Regulation. (Reg. Jan. 21, 1918.)

Ch. 7. REG. 4. *Barbers and barber shops.*—Every barber or other person in charge of any barber shop shall keep such barber shop at all times in a clean and sanitary condition.

No person shall act as a barber who is affected with a venereal disease in the communicable stage or with any communicable disease enumerated in these regulations, in an acute form, or with any communicable disease of the skin.

The hands of the barber shall be washed with soap and water before serving each customer.

Brushes and combs shall frequently be cleansed with soap and water.

Shaving mugs and brushes shall be thoroughly rinsed after each use thereof.

There shall be a separate clean towel for each customer. The head rest shall be covered by a clean towel or paper.

Alum or other material used to stop the flow of blood shall be applied in powdered or liquid form only.

After the handling of a customer affected with any eruption, or whose skin is broken out, or is inflamed or contains pus, the hands of the barber shall be immediately disinfected. This shall be done by thorough washing with soap and water, followed by rinsing in alcohol (70 to 80 per cent) or in a solution of corrosive sublimate (1 to 1,000), or by the use of some equally efficient disinfectant.

The instruments used for a customer affected with any of the above-named disorders shall be made safe immediately after such use by washing with soap and water and dipping for one minute in a 10 per cent solution of commercial (40 per cent) formalin; or dipping for three minutes in alcohol (70 to 80 per cent), or by the use of some equally efficient disinfectant.

No cup or brush which has been used in the shaving of a customer affected with any of the above infectious disorders of the face shall be used for another customer unless the cup shall have been emptied and cleansed by boiling water and furnished with fresh soap, and the brush has been sterilized by a three-minutes' exposure to alcohol (70 to 80 per cent), or to a corrosive sublimate solution (1 to 1,000), or by the use of some equally efficient disinfectant.



REG. 5. *Manicures and chiropodists.*—The utensils and instruments employed by manicures and chiropodists in pursuit of their occupations shall be kept in a clean and sanitary condition.

After serving customers affected with a visible skin disease the hands and instruments of the operators shall be immediately cleansed and sterilized.

REG. 6. *Copies of regulations 4 and 5 to be posted.*—Every barber or other person in charge of any barber shop or place where manicuring or chiropody is done shall post a copy of regulations 4 and 5 of this chapter in a conspicuous place therein.

## PORTLAND, ME.

### Barbers and Barber Shops—Regulation. (Reg. Bd. of H., July 25, 1917.)

SECTION 1. Every person, firm, or corporation who desires to establish in the city of Portland a barber shop, or who desires to continue and maintain a barber shop, shall make application to the board of health for permission so to do. Such application shall be made in writing and shall set forth the name of the proprietor or owner, the name of the manager, and the names of all persons who are employed in said barber shop, together with the location, giving the street and number where such shop is to be operated and maintained. If, upon inspection, it is found that such location is suitable and that the persons to be employed are free from all communicable diseases and that the following regulations can be strictly observed, then the board of health shall issue to such person, firm, or corporation the permit applied for, and such barber shop shall be open at all reasonable times for inspection by agents of the board of health, and the owner and manager and all of the employees thereof shall conform strictly to the provisions of this by-law.

SEC. 2. No owner or manager of a barber shop shall knowingly permit any person suffering from a communicable disease, or from a venereal disease in a communicable stage, to act as a barber in said shop, and no person who, to his own knowledge, is suffering from a communicable disease, or from a venereal disease in a communicable stage which might be conveyed to another person by contact, shall act as a barber.

SEC. 3. (a) All places used as barber shops, together with the furniture, fixtures, tools, implements, and linen, shall be kept in a clean and sanitary condition at all times.

(b) Mugs, shaving brushes, razors, scissors, clipping machines, pincers, needles, and other steel instruments shall be cleansed and sterilized either by steam, boiling water, or in alcohol of at least 60 per cent strength, after each separate use, and all combs and other brushes shall be cleansed and sterilized before use upon any customer. A separate clean towel shall be used for each customer, and such towel shall not again be used until washed and ironed.

(c) Alum or other material used to stop the flow of blood shall be in powder form and applied only on a towel or other clean cloth.

(d) The use of powder puffs or of sponges is prohibited, except that a puff owned by a customer may be used on him exclusively.

(e) Every barber shop shall be kept well ventilated and provided with running hot and cold water.

(f) Head rests on chairs shall be covered with a towel that has been washed since having been used before or by clean new paper for each customer.

(g) Every barber shall thoroughly cleanse his hands immediately before serving each customer.

(h) No barber shop nor any part thereof shall be used as a dormitory.

(i) No barber shall treat any disease, affection, or wound of the skin, nor warts, nor moles, except to stop the flow of blood as hereinbefore provided.

(j) The use of rubber bibs is forbidden.

(k) Every physician is required to report to the board of health the name of any barber applying to him for treatment who is suffering from a communicable disease, and where such barber is employed.

(l) Every person in charge of any barber shop shall post a copy of these rules in a conspicuous place in said shop and shall be responsible for their enforcement.

SEC. 4. Any violation of these rules shall be punished by a fine of not more than \$50.

## BIRTHS, MARRIAGES, DEATHS, INTERMENTS, AND DISINTERMENTS.<sup>1</sup>

### BIRMINGHAM, ALA.

**Birth and Death Certificates—Data for, to be Obtained by Hospitals, Almshouses, and Other Institutions. (Ord. 518-C, Dec. 22, 1917.)**

That section 1067 of the city code of Birmingham be, and the same is hereby, amended so as to read as follows:

SEC. 1067. *Data required by certificates of birth and death to be obtained upon admission of patient into hospitals and other like institutions.*—It shall be the duty of the superintendent, manager, or other person in charge of each hospital, almshouse, lying-in, or other institution, public or private, to which persons resort for treatment of diseases, confinement, or to which persons are committed by process of law, to make a record on January 1, 1918, as to each inmate of said institution on said date of all the personal and statistical particulars and data relative to such inmate which are required in the forms of birth and death certificates provided for by law, and sufficient to enable the preparation of a complete death certificate, or in the event of the birth of a child to any female inmate of the preparation of a complete birth certificate for such child. And thereafter it shall be the duty of each superintendent, manager, or other person in charge of each such hospital, almshouse, lying-in, or other institution, public or private, to which persons resort for treatment of diseases, confinement, or to which persons are committed by process of law, to make a record immediately upon the admission of any person thereto of all statistical particulars and data relative to such inmate as may be required in the forms of birth and death certificates provided for by law, and as may be necessary to the preparation of a complete death certificate, in the event of death of such inmate, or to the preparation of a complete birth certificate of any child which may be born to any such female inmate. And in case of persons admitted or committed for treatment of any disease to any such institution hereinbefore named, the physician in charge shall specify for entry in the record the nature of the disease and where in his opinion it was contracted. The personal particulars, statistics, and data required by this section shall be obtained from the inmate, if it is practicable to do so, and when it is impracticable to obtain them from such inmate, they must be obtained in as complete a manner as possible from relatives or friends of the inmate, or other persons acquainted with the facts. The record hereinabove provided for by this section shall be of a permanent nature, and open to the inspection of any health officer, physician, or other person whose duty it may be to prepare birth or death certificates.

### FALL RIVER, MASS.

**Burial and Embalming. (Reg. Bd. of H., Feb. 11, 1918.)**

No body shall be embalmed until a certificate of death has been obtained in the manner required by law: *Provided, however,* That except under unusual

<sup>1</sup> See also Communicable diseases, p. 62.

conditions, this rule shall not apply if it be ascertained on reasonable inquiry that the death resulted from one of the following diseases: All contagious and infectious diseases, malignant tumors, diabetes, Bright's disease, chronic disease of the heart or liver.

Where conditions warrant, special permission to embalm may be obtained from the agent or any member of the board of health.

A body shall not be buried or placed in a tomb without having first obtained a permit from the board of health.

No permit will be issued for the burial of a body until a certificate of death as above and a return of death properly filled out, has been presented to the board of health, except that if it is impossible for the undertaker to get the information necessary, for the filling out of the return before the time set for the burial, the permit may be given pending his making out a complete return; but under no circumstances will a permit be issued for the burial of a body without the required certificate of death.

A body may not be removed from the city without the permission of the board of health except when ordered by the medical examiner. This will not prevent an undertaker removing the body of a person dying in a hospital from a noncommunicable disease to his home in the city of Fall River.

Whenever a body is brought from a city or town within the Commonwealth, the undertaker or person having charge of the burial within this city shall, within 24 hours thereafter, file a statement with the board of health containing the place of burial, name of the deceased, the vital statistics as set forth in the Massachusetts standard return of death, and the cause of death as shown on the burial permit accompanying the body.

Before a permit is issued for the burial of a body that died outside the Commonwealth and was brought into this city, the undertaker or other person having charge of the burial, is required to furnish a return of death as required by the Massachusetts standard and the original permit from the place where the body was shipped, containing the cause of death.

In case of death from anterior poliomyelitis, cerebrospinal meningitis, diphtheria, scarlet fever, smallpox, or other communicable disease designated by the board of health, the body must be buried within 24 hours and the funeral must be private. If death occurred at a hospital, the body must be taken direct from there to the cemetery.

A body must not be left unburied for more than four days without the special permission of the board of health unless when so ordered by the medical examiner.

### NEW ORLEANS, LA.

#### Births—Reporting and Registration. (Ord. 4053, Jan. 9, 1917.)

SECTION 1. That the birth of each child born in the city of New Orleans shall be registered as hereinafter provided.

Report of birth must be made by the physician or attendant within 24 hours following birth.

That within 10 days after the date of each birth, there shall be filed with the city board of health a certificate of such birth, which certificate shall be upon the form adopted by the city board of health with a view of procuring a full and accurate report with respect to each item of information enumerated in this ordinance.

In each case where a physician or midwife was in attendance upon the birth, it shall be the duty of each physician or midwife to file in accordance herewith the certificate herein contemplated.

In each case where there was no physician or midwife, in attendance upon the birth, it shall be the duty of the father or mother of the child, the householder or owner of the premises where the birth occurred, or the manager or superintendent of the public or private institution where the birth occurred, each in the order named within 10 days after the date of such birth, or report to the city board of health the fact of such birth. In case the physician or midwife, in attendance upon the birth is unable, by diligent inquiry, to obtain any item or items of information contemplated in this ordinance, or in any case should all or any of such items be omitted from the certificate, it shall then be the duty of the city board of health to secure from the person so reporting, or from any other person having the required knowledge, such information as will enable it to prepare the certificate of birth herein contemplated, and it shall be the duty of the person reporting the birth or who may be interrogated in relation thereto to answer correctly and to the best of his knowledge all questions put to him by an officer or employee of the city board of health which may be calculated to elicit any information needed to make a complete record of the birth as contemplated by this ordinance, and it shall be the duty of the informant as to any statement made in accordance herewith to verify such statement by his signature, when requested so to do by an officer or employee of the city board of health.

The said certificate of birth shall correspond with the form recommended by the United States Bureau of Census and shall contain the following items, which are hereby declared necessary for the legal, social, and sanitary purposes subserved by registration records:

- (1) Place of birth, including State, parish, and city, street name and house number; if in a hospital or other institution, the name of the same to be given together with street house number.
- (2) Full name of child. If the child dies without a name, before the certificate is filed, enter the words "Died unnamed." If the living child has not yet been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.
- (3) Sex of child.
- (4) Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in case of plural births.
- (5) For plural births, number of each child in order of birth.
- (6) Whether legitimate or illegitimate.
- (7) Date of birth, including the year, month, and day.
- (8) Full name of father.
- (9) Residence of father.
- (10) Color or race of father.
- (11) Age of father at last birthday, in years.
- (12) Birthplace of father; at least State or foreign country, if known.
- (13) Occupation of father. The occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer).
- (14) Maiden name of mother.
- (15) Residence of mother.
- (16) Color or race of mother.
- (17) Age of mother at last birthday, in years.
- (18) Birthplace of mother; at least State or foreign country, if known.



(19) Occupation of mother: The occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business or establishment in which employed (or employer).

(20) Number of children born to this mother, including present birth.

(21) Number of children of this mother living.

(22) The certification of attending physician or midwife as to attendance at birth, including statement of year, month, day, and hour of birth, and whether the child was born alive or stillborn. This certification shall be signed by the attending physician or midwife, with date of signature and address; if there is no physician or midwife in attendance, then the father or mother of the child, householder, owner of the premises, or manager or superintendent of public or private institution where the birth occurred, or other competent person, whose duty it shall be to notify the board of health of such birth, as required by this ordinance.

(23) Exact date of filing in the office of the city board of health, attested by the official signature of the proper officer or representative of the city board of health, and registered number of birth.

That when any certificate of birth of a living child is presented without the statement of the given name, then the proper officer or representative of the city board of health shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed, and returned to the registrar as soon as the child shall have been named.

SEC. 2. That no fee shall be charged for the recordation of births.

SEC. 3. That any person or persons, firm, or corporation who shall violate any of the provisions of this ordinance shall be punished by a fine of not more than \$25 nor less than \$5, or sentenced to imprisonment for not more than 30 days nor less than 10 days, at the discretion of the court.

## NEW YORK, N. Y.

### Marriages—Registration of Those Not Previously Recorded. (Ch. 333, Act May 3, 1919.)

SECTION 1. The Greater New York charter, as reenacted by chapter 466 of the laws of 1901, is hereby amended by inserting therein a new section to be section 1239a thereof, to read as follows:

SEC. 1239a. *Registration of marriages not previously recorded.*—Certificates of marriages performed in the city, if not filed in such department within the time hereinbefore provided, may be recorded in the discretion of the commissioner of health, upon application made in the manner and subject to the terms and conditions prescribed by rules and regulations which the board of health is hereby authorized to adopt. The power to pass upon and approve any such applications may be delegated by such commissioner, in writing, to the registrar of records of such department for such period and to such extent as shall be specified in such delegation.

### Burial Vaults for Temporary Reception of Bodies—Construction and Maintenance. (Reg. Bd. of H., Mar. 27, 1919.)

REG. 15. *Receiving vaults; construction and maintenance.*—All general vaults in cemeteries used for the temporary reception and holding of the remains of deceased persons must be provided with crypts or cells constructed so that they

may be hermetically sealed when the remains of deceased persons are placed therein. Where such crypts or cells are used as a place of deposit for the remains of deceased persons they shall be hermetically sealed immediately after such remains are deposited therein: *Provided, however,* The provisions of this regulation shall not apply where the remains of a deceased person are inclosed in a hermetically sealed, metallic, or stone coffin, or case.

**Deaths—Registration. (Res. Bd. of H., Dec. 28, 1917.)**

*Resolved,* That Section 32 of the sanitary code be amended, to read as follows:

**SEC. 32. Deaths; duty of physicians and other persons to report; contents of death certificate.**—Physicians who shall have attended deceased persons in their last illness shall make and preserve a registry of the death of every such person, stating the cause thereof and specifying the date, hour, street, and street number of the premises, of such death, and shall file with the department of health a report, in writing, of the death of every such person, stating, as nearly as can be ascertained, the date of death, the sex, name and surname, age, occupation, term of residence in the city of New York, place of nativity, condition of life, namely, whether single or married, a widow or widower, or divorced, the color, last place of residence, the name and birthplace of the parents, respectively, the maiden name of the mother, and the chief and determining, and the contributory, cause or causes of death, of such person; stating also whether an autopsy has been performed, and, if so, the findings of such autopsy; and the chief medical examiner, the deputy medical examiners, and the assistant medical examiners of the city, shall, in their certificates, conform to the requirements of this section, and, where death shall have resulted from accident, homicide, or suicide, shall specify how, when, and where the injuries causing such death were received.

**Births and Stillbirths—Registration. (Res. Bd. of H., Dec. 28, 1917.)**

*Resolved,* That section 31 of the sanitary code be amended and made to read as follows:

**SEC. 31. Births and stillbirths; parents and every person to report; physicians and professional midwives to keep registry and file written copy.**—It shall be the duty of the parents of any child born alive or dead in the city of New York (and if there be no parent alive that has made such report, then of the next of kin of said child born) and of every person present at such birth or stillbirth to file with the department of health, within 10 days after such birth and within 36 hours after such stillbirth, a report, in writing, stating, as far as known, the date, borough, street, and street number of said place of birth or stillbirth, the name, sex, and color of such child born, the name, residence, birthplace, and age of the parents, respectively, the occupation of the father and mother, and the maiden name of the mother. It shall also be the duty of physicians and professional midwives to keep a registry of the several births or stillbirths in which they have assisted professionally, which shall contain the date of birth or stillbirth, the borough, street, and street number of premises wherein such birth or stillbirth took place, the sex and color of the child, and also, as nearly as can be ascertained, the name of the said child, the number of previous children born of the mother, the number now living, the name, residence, birthplace, and age of the parents, respectively, the occupation of the father and mother, and the maiden name of the mother; and it shall be the duty of such physicians and professional midwives, also, to file

a written copy of the said registry of birth or stillbirth with the department of health in the borough office of the borough wherein the birth or stillbirth occurred, within 10 days after such birth and within 36 hours after such stillbirth, upon blank forms furnished by the said department. Such physicians and professional midwives shall also certify that they assisted professionally at the birth or stillbirth so reported, and that all the other facts stated in the copy of the said registry are true to the best of their knowledge, information, and belief.

**Births, Stillbirths, Marriages, and Deaths—Filing Copy of Registry. (Res. Bd. of H., Dec. 28, 1917.)**

*Resolved*, That section 33 of the sanitary code be amended and made to read as follows:

SEC. 33. *Births, stillbirths, marriages, and deaths; copy of registry to be filed.*—It shall be the duty of every person required to make or keep a registry of births, stillbirths, marriages, or deaths to present to the bureau of records of the department of health a copy of such registry signed by such person within 10 days after the birth or marriage, and within 36 hours after the death or stillbirth of any person to whom such registry relates, which copy of such registry shall thereupon be placed on file in the said bureau.

**PORT CHESTER, N. Y.**

**Dead Bodies—Transportation by Common Carriers. (Reg. Jan. 21, 1918.)**

CH. 7. REG. 8. *Transportation of dead bodies by common carriers.*—The transportation of dead human bodies by common carriers shall be conducted in such manner as not to be a menace to health, and the manner of transportation shall be subject to the special administrative regulations of the State commissioner of health.

**SOMERVILLE, MASS.**

**Interments and Disinterments. (Reg. Bd. of H., Oct. 3, 1917.)**

SEC. 17. No person shall bury or cause to be buried the body of any dead person in a grave less than three feet deep from the surface of the ground surrounding the grave to the top of the coffin.

SEC. 18. No person shall bury or inter, or cause to be buried or interred, the body of any dead person at any time of the day other than between sunrise and sunset, except in accordance with a written permit from the board. No person shall open a grave or remove the body of a dead person or its remains from a grave or tomb, except in accordance with a written permit from the board.

**WHEELING, W. VA.**

**Births and Deaths—Reporting—Burial. (Ord. Effective July 1, 1919.)**

SEC. 71. All births and deaths shall be reported to the department of health; deaths shall be reported forthwith, births must be reported within 10 days. The facts to be stated fully and legibly upon blanks furnished by the department by the following persons. In case of births: The physician, when there is a physician in attendance; the father, when living, in cases where no physician has been in attendance; and where no physician has been in attend-

ance and the father is not living, then the mother. In cases of deaths the physician, where there has been a physician in attendance, and where no physician has been in attendance, then by the undertaker. These reports shall be bound in book form and made a permanent record. No dead body of any human being shall be buried, nor be removed for the purpose of burial, unless accompanied to its burial place by a burial or transit permit issued by the department of health upon receipt of a full, complete, and legible death certificate of the deceased, signed by the physician who has attended the deceased, or by the coroner of the county where no physician has been in attendance. Bodies brought to the city from other places shall not be received for burial in any cemetery until the department shall have issued or indorsed the burial permit. No physician shall issue any certificate of the death under this ordinance unless he was the medical attendant of the person named in said certificate during his or her last illness: *Provided*, Said person died from natural causes. No person other than the said physician, shall make such certificate. Under no circumstances shall an undertaker fill out in a death certificate the part required of him except when the full name of the deceased has been written in ink thereon at the proper place. The keeper of every cemetery shall demand and receive from the undertaker said burial permit before the body is allowed to be buried. No dead body shall be kept unburied for a longer period than four days without a permit from the department of health.

## BUILDINGS AND PREMISES.<sup>1</sup>

### DETROIT, MICH.

#### Dwellings—Building, Occupancy, and Maintenance. (Reg. Bd. of H., Amended Apr. 26, 1917.)

**SECTION 1.** It is hereby declared by the board of health of the city of Detroit that in order to preserve the public health no person shall build, occupy, or maintain a dwelling in the city of Detroit in violation of the following regulations. The building, occupancy, or maintenance of any dwelling contrary to the following regulations is hereby declared by the board of health of the city of Detroit to unwholesome or insanitary and a menace to the public health.

**SEC. 2. Definitions.**—Certain words in this code are defined for the purposes thereof as follows: Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular; the word "person" includes a corporation as well as a natural person.

(1) *Dwelling.*—A "dwelling" is any house or building or portion thereof which is occupied in whole or in part as the home, residence, or sleeping place of one or more human beings, either permanently or transiently.

(2) *Classes of dwellings.*—For the purposes of this code dwellings are divided into the following classes: (a) "Private dwellings," (b) "two-family dwellings," and (c) "multiple dwellings."

(a) A "private dwelling" is a dwelling occupied by but one family alone.

(b) A "two-family dwelling" is a dwelling occupied by but two families alone.

(c) A "multiple dwelling" is a dwelling occupied otherwise than as a private dwelling or two-family dwelling.

(3) *Classes of multiple dwellings.*—All multiple dwellings are dwellings, and for the purposes of this code are divided into two classes, viz, class "A" and class "B":

*Class A.*—Multiple dwellings of class A are dwellings which are occupied more or less permanently for residence purposes by several families and in which the rooms are occupied in apartments, suites, or groups. This class includes tenement houses, flats, apartment houses, apartment hotels, bachelor apartments, studio apartments, duplex apartments, kitchenette apartments, and all other dwellings similarly occupied whether specifically enumerated herein or not.

*Class B.*—Multiple dwellings of class B are dwellings which are occupied, as a rule transiently, as the more or less temporary abiding place of individuals who are lodged, with or without meals, and in which, as a rule, the rooms are occupied singly. This class includes hotels, lodging houses, boarding houses, furnished-room houses, club houses, convents, asylums, hospitals, jails, and all other dwellings similarly occupied whether specifically enumerated herein or not.

(4) *Hotel.*—A "hotel" is a multiple dwelling of Class B in which persons are lodged for hire and in which there are more than 50 sleeping rooms, a public dining room for the accommodation of at least 50 guests, and a general kitchen.

<sup>1</sup> See also Lodging, tenement, and rooming houses, p. 250.



(5) *Mixed occupancy.*—In cases of mixed occupancy where a building is occupied in part as a dwelling the part so occupied shall be deemed a dwelling for the purposes of this code and shall comply with the provisions thereof relative to dwellings.

(6) *Yards.*—A "rear yard" is an open unoccupied space on the same lot with a dwelling, between the extreme rear line of the lot and the extreme rear line of the house. A yard between the front line of the house and the front line of the lot is a "front yard." A yard between the side line of the house and the side line of the lot and which extends from the front line or front yard to the rear line of the lot or to the rear yard is a "side yard."

(7) *Courts.*—A "court" is an open unoccupied space, other than a yard, on the same lot with a dwelling. A court not extending to the street or front or rear yard is an inner court. A court extending to the street or front yard or rear yard is an outer court.

(8) *Corner and interior lots.*—A "corner lot" is a lot of which at least two adjacent sides abut for their full length upon a street. A lot other than a corner lot is an "interior lot."

(9). *Front, rear, and depth of lot.*—The front of a lot is that boundary line which borders on the street. In case of a corner lot the owner may elect by statement on his plans either street boundary line as the front. The rear of a lot is the side opposite to the front. In the case of a triangular or gore lot the rear is the boundary line not bordering on a street. The depth of a lot is the dimension measured from the front of the lot to the extreme rear line of the lot. In the case of irregular shaped lots the mean depth shall be taken.

(10) *Public hall.*—A "public hall" is a hall, corridor or passageway not within the exclusive control of one family.

(11) *Stair hall.*—A "stair hall" is a public hall and includes the stairs, stair landings and those portions of the building through which it is necessary to pass in going between the entrance floor and the roof.

(12) *Basement, cellar, attic.*—(a) A "basement" is a story partly underground but having at least one-half of its height above the curb level, and also one-half of its height above the highest level of the adjoining ground. A basement, if not occupied for living purposes by other than the janitor or his family, shall not be counted as a story. (b) A "cellar" is a story having more than one-half of its height below the curb level, or below the highest level of the adjoining ground. A cellar shall not be counted as a story for purposes of height measurement. If any part of a story is in that part the equivalent of a basement or cellar, the provisions of this code relative to basements and cellars shall apply to such part of said story. (c) An attic, or story in a sloping roof if not occupied for living purposes, shall not be counted as a story.

(13) *Height.*—The "height" of a dwelling is the perpendicular distance measured in a straight line from the curb level to the highest point of the roof beams in the case of flat roofs and to the average of the height of the gable in the case of pitched roofs, the measurements in all cases to be taken through the center of the front of the house. Where a dwelling is situated on a terrace above the curb level such height shall be measured from the level of the adjoining ground. Where a dwelling is on a corner lot and there is more than one grade or level, the measurements shall be taken through the center of the front on the street having the lowest elevation.

(14) *Curb level.*—The "curb level" is the level of the established curb in front of the building measured at the center of such front. Where no curb has been established the city engineer shall establish such curb level or its equivalent for the purposes of this code.

(15) *Occupied spaces.*—Outside stairways, fire escapes, fire towers, porches, platforms, balconies, boiler flues and other projections shall be considered as part of the building and not as a part of the yards or courts or unoccupied spaces. This provision shall not apply to uninclosed outside porches not exceeding one story in height which do not extend into the front or rear yard a greater distance than 12 feet from the front or rear walls of the building, nor to one such porch which does not extend into the side yard a greater distance than 6 feet from the side wall of the building nor exceed 12 feet in its other horizontal dimension, or to cornices not exceeding 18 inches in width.

(16) *Nuisance.*—The word "nuisance" shall be held to embrace public nuisance as known at common law or in equity jurisprudence; and whatever is dangerous to human life or detrimental to health; whatever dwelling is overcrowded with occupants, or is not sufficiently ventilated, sewered, drained, cleaned, or lighted, in reference to its intended or actual use; and whatever renders the air or human food or drink unwholesome, are also severally, in contemplation of this code, nuisances; and all such nuisances are hereby declared detrimental to the public health.

(17) *Construction of certain words.*—The word "shall" is always mandatory and not directory, and denotes that the dwelling shall be maintained in all respects according to the mandate as long as it continues to be a dwelling. Wherever the words "occupied" or "used" are employed in this code, such words shall be construed as if followed by the words "or is intended, arranged, designed, built, altered, converted to, rented, leased, let or hired out, to be occupied or used." Wherever the words "dwelling," "two-family dwelling," "multiple dwelling," "building," "house," "premises," or "lot" are used in this code, they shall be construed as if followed by the words "or any part thereof." Wherever the word "street" is used in this code, it shall be construed as including any public alley 16 feet or more in width.

SEC. 3. *Buildings converted or altered.*—A building not a dwelling, if hereafter converted or altered to such use shall thereupon become subject to all the provisions of this code relative to dwellings hereafter erected. A dwelling of one class if hereafter altered or converted to another class shall thereupon become subject to all the provisions of this code relative to such class.

SEC. 4. *Alterations and change in occupancy.*—No dwelling hereafter erected shall at any time be altered so as to be in violation of any provision of this code. And no dwelling erected prior to the passage of this code shall at any time be altered so as to be in violation of those provisions of this code applicable to such dwelling. If any dwelling or any part thereof is occupied by more families than provided in this code, or is erected, altered, or occupied contrary to the provisions of this code, such dwelling shall be deemed a nuisance, and the health officer may cause such dwelling to be vacated. And such dwelling shall not again be occupied until it or its occupation, as the case may be, has been made to conform to the provisions of this code.

SEC. 5. *Dwellings moved.*—If any dwelling be hereafter moved from one lot to another, it shall thereupon be made to conform to all the provisions of this code relative to dwellings hereafter erected.

SEC. 6. *Minimum requirements.*—The provisions of this code shall be held to be the minimum requirements adopted for the protection of the health, welfare, and safety of the community.

SEC. 7. *Sewer connections and water supply.*—The provisions of this code with reference to sewer connections and water supply shall be deemed to apply only where connection with a public sewer and with public water mains is or becomes reasonably accessible. All questions of the practicability of such sewer and water connections shall be decided by the health officer. Wherever the words

"city water" are used in this code they shall be construed as meaning any public supply of water through street mains, and wherever the words "public sewer" are used in this code they shall be construed as meaning any part of a system of sewers that is used by the public, whether or not such part was constructed at the public expense.

SEC. 8. *Time for compliance.*—All improvements specifically required by this code upon dwellings erected prior to the date of its promulgation shall be made within one year from said date, or at such earlier period as may be fixed by the health officer.

SEC. 9. *Independence of sections.*—Each section of this code and every part of each section is hereby declared to be independent sections and parts of sections, and the holding of any section or part thereof to be void and ineffective for any cause shall not be deemed to affect any other section or part thereof.

SEC. 10. *Scope of this code.*—All the provisions of this code shall apply to all classes of dwellings, except that in sections where specific reference is made to one or more specific classes of dwellings such provisions shall apply only to those specific classes to which such reference is made. All provisions which relate to dwellings shall apply to all classes of dwellings.

#### ARTICLE 2. DWELLINGS HEREAFTER ERECTED—LIGHT AND VENTILATION.

SEC. 20. *Height.*—No dwelling hereafter erected shall exceed in height the width of the widest street upon which it abuts, nor in any case shall it exceed 100 feet in height. Such width of street shall be measured from front line of the building as constructed to the opposite street line. The provisions of this section shall not apply to the hotels.

SEC. 21. *Rear yards.*—Immediately behind every dwelling hereafter erected there shall be, except as hereinafter provided, a rear yard extending across the entire width of the lot. Such yard shall be at every point open and unobstructed from the ground to the sky, except in the case of corner lots the rear yard may start at the top of the entrance story. Every part of such yard shall be directly accessible from every other part thereof. The depth of said yard shall be measured at right angles from the line of the extreme rear part of the dwelling toward the center of the rear lot line. In the case of an interior lot the rear yard space shall in no case be less than 15 feet deep, and 5 feet additional for each story of the dwelling on said lot above the first, except that in case there is a public alley not less than 16 feet wide in the rear of said lot upon which the lot abuts for its full width, the measurement for yard space may be made to the center of such alley. In case of a corner lot abutting on two streets, with no building facing the street upon which the lot abuts for the greater distance, the rear yard space shall in no case be less than 10 feet deep, and 5 feet additional for each story of the dwelling on said lot above the first, except that in case there is a public alley not less than 16 feet wide in the rear of said lot upon which the lot abuts for its full width, the measurement for yard space may be made to the center of such alley. In the case of a corner lot abutting on two streets, with one or more dwellings facing the street upon which the lot abuts for the greater distance, the wall parallel, or substantially parallel, to such street shall, for the purpose of this section, be deemed the rear wall of such dwelling or dwellings and the yard space between such rear wall and the line of the lot parallel or substantially parallel, to such street shall in no case be less than 6 feet for a two-story dwelling and three feet additional for each story above the second. In case of corner lots abutting on three streets, not counting the alley as a street, the rear yard need not extend across the full width of the lot but only to its median line. Any portion of a corner lot distant more than

70 feet from the corner line shall be treated as an interior lot. A front yard may be of any depth. The foregoing provisions of this section shall not apply to hotels.

SEC. 22. *Side yards.*—Dwellings hereafter erected may be built up to the side lot line, if the side wall is without windows. If, however, any side yard is left, it shall be at every point open and unobstructed from the ground to the sky, and its width shall be proportionate to the height of the dwelling and to the length of the side yard, and no side yard shall be less in width in any part than as follows:

(a) *Multiple dwellings.*—In the case of all multiple dwellings hereafter erected, one story in height and having a side yard, the width of the side yard measured to the side lot shall be 4 feet; such side yard shall be increased in width by 1 foot for each additional story above the second.

(b) *Private dwellings and two-family dwellings.*—In the case of private dwellings and two-family dwellings hereafter erected, one story or two stories in height and having a side yard which does not exceed 60 feet in length, the width of the side yard measured to the side lot line shall be 3 feet. Such side yard shall be increased in width 1 foot for each additional story above the second, and shall be further increased in width by 1 foot for every 10 feet or fraction thereof that the length of the side yard is in excess of 60 feet. Dwellings fronting on the same street and on a portion of a lot or plot without side lines of record shall be built having a space twice the width required above between them.

SEC. 23. *Courts.*—The sizes of all courts in dwellings hereafter erected shall be proportionate to the height of the dwelling. No court shall be less in any part than the minimum sizes prescribed in this section. The minimum width of an outer court for a one-story dwelling shall be 5 feet, for a two-story dwelling 6 feet, for a three-story dwelling 7 feet, and shall increase 2 feet for each additional story above three stories. The least dimension of an inner court shall never be less than twice the minimum width prescribed by this section for an outer court. The length of a court, except in the case of a side yard, shall never be greater than five times its width. The width of all courts adjoining the lot line shall be measured to the lot line and not to an opposite building.

SEC. 24. *Courts open at the top.*—No court of a dwelling hereafter erected shall be covered by a roof or skylight. Every such court shall be at every point open from the ground to the sky unobstructed. Except that in the case of hotels, courts may start on the floor level of the lowest bedroom story, and in the case of other multiple dwellings where there are stores or shops on the lower story or stories, courts may start on the top of such lower story or stories.

SEC. 25. *Air intakes.*—In all dwellings hereafter erected every inner court extending through more than one story shall be provided with a horizontal air intake at the bottom. Such intake shall always communicate directly with the street or with the front yard or rear yard and shall consist of a passageway not less than 3 feet wide and 7 feet high, which shall be left open or be provided with an open gate at each end.

SEC. 26. *Angles in courts.*—Nothing contained in the foregoing sections concerning courts shall be construed as preventing the cutting off of the corners of said courts: *Provided*, That the running length of the wall across the angle of such corner does not exceed 7 feet.

SEC. 27. *Buildings on same lot with a dwelling.*—If any building is hereafter placed on the same lot with a dwelling there shall always be maintained be-

tween the said buildings an open and unoccupied space extending upward from the ground. If such buildings are placed at the side of each other the space between them shall conform to the provisions of section 22 of this code relating to side yards, but shall be twice the minimum therein required. If such buildings are placed one at the rear of the other the space between them shall be the same as that prescribed in section 21 for rear yards. In all cases the height of the highest building on the lot shall regulate the dimensions. No building of any kind shall be hereafter placed upon the same lot with a dwelling so as to decrease the minimum sizes of courts or yards as hereinbefore prescribed. No building shall hereafter be placed upon a lot so that there shall be a dwelling at the rear of another building on the same lot without a frontage on a street other than an alley. A private garage or private stable may be built at the rear of a lot on which there is a dwelling at the front. Such garage or stable shall not exceed two stories in height, and may have living rooms therein for the use solely of a household employee, or member of his family, of the occupant of the dwelling on the front of the lot. If so occupied, the garage or stable in addition to complying with the provisions of this code shall have an entrance from the outside of the building without passing through the garage or stable. In case of such garages which do not exceed one story in height, the depth of the rear yard shall be measured to the middle line of the alley or to the rear lot line, as the case may be, as provided in section 22; but no such garage shall in any case approach nearer to the rear wall of the dwelling than 15 feet. In all other cases the rear yard shall be measured from the rear wall of the dwelling to the nearest wall of the building at the rear of the lot. If any dwelling is hereafter erected upon any lot upon which there is already another building, it shall comply with the provisions of this code, and in addition the space between the said building and the said dwelling shall be of such size and arranged in such manner as is prescribed in this section, the height of the highest building on the lot to regulate the dimensions.

SEC. 28. *Rooms, lighting and ventilation of.*—In every dwelling hereafter erected every room shall have at least one window opening directly upon the street, or a public alley or other public space at least 16 feet in width, or upon a yard or a court of the dimensions specified in this article and located on the same lot, and such window shall be so located as to properly light all portions of such rooms. This provision shall not, however, apply to rooms used as art galleries, swimming pools, gymnasiums, squash courts, or for similar purposes, provided such rooms are adequately lighted and ventilated by ventilating skylights in the roof thereof.

SEC. 29. *Windows in rooms.*—In every dwelling hereafter erected the total window area in each room shall be at least one-eighth of the superficial floor area of the room, and the whole window shall be made so as to open in all its parts. At least one such window shall be not less than 12 square feet in area between the stop beads. In multiple dwellings the top of at least one window shall be not less than 7 feet 6 inches above the floor.

SEC. 30. *Rooms, size of.*—In every dwelling hereafter erected all rooms, except water-closet compartments and bathrooms, shall be of the following minimum sizes: Every room shall contain at least 80 square feet of floor area except that kitchenettes may be 50 square feet in area; no room except kitchenettes shall be in any part less than 7 feet wide. In multiple dwellings of class A in each apartment, group, or suite of rooms there shall be at least one room containing not less than 150 square feet of floor area.

SEC. 31. *Rooms, height of.*—No room in a private dwelling or two-family dwelling hereafter erected shall be in any part less than 8 feet 6 inches high



from the finished floor to the finished ceiling, except that an attic room in such private and two-family dwelling need be but 8 feet 6 inches in but one-half of its area, but at no point less than 6 feet in height. No room in a multiple dwelling hereafter erected shall be in any part less than 8 feet 6 inches high from the finished floor to the finished ceiling.

SEC. 32. *Alcoves and alcove rooms.*—In every dwelling hereafter erected an alcove in any room shall be separately lighted and ventilated as provided for rooms in the foregoing sections. Such alcove shall be not less in area than as provided in section 30. No part of any room in a dwelling hereafter erected shall be inclosed or subdivided at any time, wholly or in part, by a curtain, portière, fixed or movable partition or other contrivance or device, unless such part of the room so inclosed or subdivided shall contain a separate window as herein required, and shall have a floor area of not less than 80 square feet, as provided in section 30.

SEC. 33. *Privacy.*—In every dwelling hereafter erected, access to every living room and to every bedroom and to at least one water-closet compartment shall be had without passing through a bedroom.

SEC. 34. *Water-closet compartments and bathrooms, lighting and ventilation of.*—In every dwelling hereafter erected, every water-closet compartment and bathroom shall have at least one window opening directly upon the street, or upon a yard or court of the dimensions specified in this article, or if located immediately beneath the roof, a ventilating skylight, open to the sky with an opening not less than 6 square feet in area in each toilet, may be used in lieu of the windows required by this section. No such window shall be less in size than 3 square feet between stop beads, and the aggregate area of windows for each water-closet compartment shall be not less than 6 square feet between stop beads. Such windows shall be so located as to properly light all portions of such compartments. Every such window shall be made so as to open in all its parts. Nothing in this section contained shall be construed so as to prohibit a general toilet room containing several water-closet compartments separated from each other by dwarf partitions, provided such toilet room is adequately lighted and ventilated to the outer air as above provided, and that such water-closets are supplemental to the water-closet accommodations required by the provisions of section 44.

The above provision shall not apply to hotels that have a system of forced ventilation so constructed as entirely to change the air in every bathroom, toilet room or water-closet compartment, every seven minutes.

SEC. 35. *Public halls.*—In every dwelling hereafter erected every public hall shall have at each story at least one window opening directly upon the street or upon a yard or court of the dimensions specified in this article and located on the same lot. Any part of a public hall which is offset or recessed more than 5 feet or is shut off from any other part of said hall shall be deemed a separate hall within the meaning of this section, and shall be separately lighted and ventilated.

SEC. 36. *Windows and skylights for public halls.*—In multiple dwellings hereafter erected one at least of the windows provided to light each public hall or part thereof shall have at least 12 square feet of glazed area. In every multiple dwelling hereafter erected there shall be in the roof directly over each stair well, a skylight provided with ventilators having a minimum opening of 40 square inches, or such skylight shall be provided with fixed or movable louvres.

SEC. 37. *Windows for stair halls, size of.*—In every multiple dwelling hereafter erected there shall be provided for each story at least one window to light and ventilate each stair hall which shall have at least 10 square feet of glazed area. A sash door opening to the outer air shall be deemed the equivalent of a

window in this and the two foregoing sections, provided that such door contains the amount of glass surface prescribed for such windows.

SEC. 38. *Outside porches.*—In dwellings hereafter erected outside porches shall not be so located as to interfere with or diminish the light or ventilation required by this code. The term "outside porches" shall include outside platforms, balconies and stairways. All such outside porches shall be considered as part of the building, and not as part of the yards or courts or other unoccupied area.

#### ARTICLE 3. SANITATION.

SEC. 40. *Cellar rooms.*—In dwellings hereafter erected no room in the cellar shall be occupied for living purposes.

SEC. 41. *Basement rooms.*—In dwellings hereafter erected no room in the basement shall be occupied for living purposes, unless in addition to the other requirements of this code such room shall have sufficient light and ventilation, shall be well drained and dry and shall be fit for human habitation.

SEC. 42. *Cellars, waterproofing and lighting.*—Every dwelling hereafter erected shall have a basement, cellar, or excavated space under the entire entrance floor, at least 3 feet in depth, or shall be elevated above the ground so that there will be a clear air space of at least 24 inches between the top of the ground and the bottom of said floor so as to insure ventilation and protection from dampness. Such space shall in all cases be inclosed but provided with ample ventilation and properly drained. Every dwelling hereafter erected shall have all walls below the ground level and also the cellar or lowest floor damp proof and waterproof. When necessary to make such walls and floors damp proof and waterproof, the damp proofing and waterproofing shall run through the walls and up the same as high as the ground level and shall be continued throughout the floor, and the said cellar or lowest floor shall be properly constructed so as to prevent dampness or water from entering. All cellars and basements in dwelling hereafter erected shall be properly lighted and ventilated.

SEC. 43. *Courts, areas, and yards.*—In every dwelling hereafter erected, all courts, areas, and yards shall be properly graded and drained, and when required by the health officer they shall be properly concreted in whole or in part as may be appropriate.

SEC. 44. *Water supply.*—In every dwelling hereafter erected, there shall be a proper sink or washbowl with running water, exclusive of any sink in the cellar. In two-family dwellings and in multiple dwellings of class A there shall be such a sink or washbowl in each apartment, suite, or group of rooms.

SEC. 45. *Water-closet accommodations.*—In every dwelling hereafter erected there shall be a separate water-closet. Each such water-closet shall be placed in a compartment completely separated from every other water-closet; such compartment shall be not less than 3 feet wide, and shall be inclosed with partitions which shall extend to the ceiling and which shall not be of wood or other absorbent material. Every such compartment shall have a window opening directly upon the street or upon a yard or court of the minimum sizes prescribed by this code and located upon the same lot. Nothing in this section contained shall be construed so as to prohibit a general toilet room containing several water-closet compartments separated from each other by dwarf partitions, provided such toilet room is adequately lighted and ventilated to the outer air and that such water-closets are supplemental to the water-closet accommodations required by other provisions of this section for the tenants of the said house. No water-closet shall be placed out of doors. No water-closet fixtures shall be inclosed with any woodwork. No drip trays shall be permitted

on any water-closet. No water-closet shall be placed in a cellar except with written permit from the health officer unless it is an extra water-closet in a private dwelling and is well lighted and ventilated by a window to the outer air. In two-family dwellings and in multiple dwellings of class A hereafter erected there shall be for each family a separate water-closet constructed and arranged as above provided and located within each apartment, suite or group of rooms. In multiple-dwellings of class B hereafter erected there shall be provided at least one water-closet for every 15 occupants or fraction thereof. Every water-closet compartment hereafter placed in any dwelling shall be provided with gas or electric light for lighting the same at night. In two-family and multiple dwellings hereafter erected the floor of every such water-closet compartment shall be made waterproof with asphalt, tile, stone, terrazzo or some other nonabsorbent waterproof material; and such waterproofing shall extend at least 6 inches above the floor so that the said floor can be washed or flushed out without leaking.

SEC. 46. *Sewer connection.*—No multiple dwelling shall hereafter be erected on any street unless there is city water supply accessible thereto, nor unless there is a public sewer in such street, or a private sewer connecting directly with a public sewer, and every such multiple dwelling shall have its plumbing system connected with the city water supply and with a public sewer before such multiple dwelling is occupied. No cesspool or vault or similar means of sewage disposal shall be used in connection with any dwelling where connection with a public sewer is practicable.

SEC. 47. *Plumbing.*—In every dwelling hereafter erected no plumbing fixture shall be inclosed with woodwork, but the space underneath shall be left entirely open. Plumbing pipes shall be exposed when so required by the health officer. All plumbing work shall be sanitary in every particular and, except as otherwise specified in this code, shall be in accordance with the plumbing regulations of this city.

#### ARTICLE 4. ALTERATIONS.

SEC. 50. *Yards.*—No dwelling shall hereafter be enlarged or its lot be diminished, or other building placed on the lot, so that the rear yard or side yard shall be less in size than the minimum sizes prescribed in sections 21 and 22 of this code for dwellings hereafter erected.

SEC. 51. *Height.*—No dwelling shall be increased in height so that the said dwelling shall exceed the width of the widest street on which it abuts, nor in any case 100 feet.

SEC. 52. *New courts in existing dwellings.*—An inner court hereafter constructed in a dwelling erected prior to the passage of this code, if extending through not more than two stories, shall be not less than 6 feet by 8 feet in size; if it extends through more than two stories, it shall be not less than 8 feet by 10 feet in size. Every such court shall have an air intake as required for new dwellings in section 25, and shall be open to the sky, without sklight or roof of any kind.

SEC. 53. *Additional rooms and halls.*—Any additional room or hall that is hereafter constructed or created in a dwelling shall comply in all respects with the provisions of article 2 of this code, except that it may be of the same height as the other rooms on the same story of the dwelling.

SEC. 54. *Rooms and halls, lighting and ventilation of.*—No dwelling shall be so altered or its lot diminished that any room or public hall or stairs shall have its light or ventilation diminished in any way not approved by the health officer.

SEC. 55. *Alcoves and alcove rooms.*—No part of any room in a dwelling shall hereafter be inclosed or subdivided wholly or in part, by a curtain portiere, fixed or movable partition or other contrivance or device, unless such part of the room so inclosed or subdivided shall contain a window as required by sections 28, 29, and 34 of this code, and have a floor area as provided in section 30.

SEC. 56. *Skylights.*—All new skylights hereafter placed in a multiple dwelling shall be provided with ridge ventilators having a minimum opening of 40 square inches and also with either fixed or movable louvres or with movable sashes, and shall be of such size as may be determined to be practicable by the health officer.

SEC. 57. *Water-closet accommodations.*—Every water-closet hereafter placed in a dwelling, except when provided to replace a defective or antiquated fixture in the same location, shall comply with the provisions of sections 34, 45, and 47 of this code, relative to water-closets in dwellings hereafter erected, except that in the case of a new water-closet installed on the top floor of an existing dwelling, a ventilating skylight open to the sky may be used in lieu of the windows required by section 34.

#### ARTICLE 5. MAINTENANCE.

SEC. 60. *Public halls, lighting at night.*—In every multiple dwelling a proper light shall be kept burning by the owner in the public hallways near the stairs upon each floor every night from sunset to sunrise throughout the year if so required by the health officer.

SEC. 61. *Water-closets in cellars.*—No water-closet shall be maintained in the cellar of any dwelling without a permit in writing from the health officer, who shall have the power to make rules and regulations governing the maintenance of such closet. Under no circumstances shall the general water-closet accommodations of any multiple dwelling be permitted in the cellar or basement thereof; this provision, however, shall not be construed so as to prohibit a general toilet room containing several water-closets, provided such water-closets are supplementary to those required by this code.

SEC. 62. *Water-closet accommodations.*—In every dwelling existing prior to the passage of this code there shall be provided at least one water-closet for every apartment, group or suite of rooms, except that in multiple dwellings of class B there shall be provided at least one water-closet for every 15 occupants or fraction thereof.

SEC. 63. *Basement and cellar rooms.*—No room in the cellar of any dwelling erected prior to the passage of this code shall be occupied for living purposes. And no room in the basement of any such dwelling shall be so occupied without a written permit from the health officer, which permit shall be kept readily accessible in the main living room of the apartment containing such room. No such room shall hereafter be occupied unless all the following conditions are complied with:

(1) Such room shall be at least 7 feet high in every part from the floor to the ceiling.

(2) The ceiling of such room shall be in every part at least 3 feet 6 inches above the surface of the street or ground outside of or adjoining the same.

(3) There shall be appurtenant to such room the use of a water-closet.

(4) At least one of the rooms of the apartment of which such room is an integral part shall have a window opening directly to the street or yard of at least 12 square feet in size clear of the sash frame, and which shall open readily for purposes of ventilation.

(5) The lowest floor shall be waterproof and damp proof.

(6) Such room shall have sufficient light and ventilation, shall be well drained and dry, and shall be fit for human habitation.

SEC. 64. *Cellar walls and ceilings.*—The cellar walls and cellar ceilings of every multiple dwelling shall by the owner be thoroughly whitewashed or painted a light color and shall be so maintained by him when required by the health officer.

SEC. 65. *Water-closets and sinks.*—In all dwellings the floor or other surface beneath and around water-closets and sinks shall be maintained in good order and repair, and if of wood shall be kept well painted with light-colored paint.

SEC. 66. *Repairs.*—Every dwelling and all the parts thereof shall be kept in good repair, and the roof shall be kept so as not to leak, and all rain water shall be so drained and conveyed therefrom as not to cause dampness in the walls or ceilings.

SEC. 67. *Water supply.*—Every dwelling shall have within the dwelling at least one proper sink with running water furnished in sufficient quantity at one or more places exclusive of the cellar. In two-family dwellings and multiple dwellings of class A there shall be a sink or washbowl in each apartment, suite, or group of rooms.

SEC. 68. *Cleanliness of dwellings.*—Every dwelling and every part thereof shall be kept clean, and shall also be kept free from any accumulation of dirt, filth, rubbish, garbage, or other matter in or on the same, or in the yards, courts, passages, areas, or alleys connected with or belonging to the same. The owner of every dwelling, and in the case of a private dwelling the occupant thereof, shall thoroughly cleanse or cause to be cleansed all the rooms, passages, stairs, floors, windows, doors, walls, ceilings, privies, water-closets, cesspools, drains, halls, cellars, roofs, and all other parts of the said dwelling, or part of the dwelling of which he is the owner, or in case of a private dwelling the occupant, to the satisfaction of the health officer, and shall keep the said parts of the said dwelling in a cleanly condition at all times.

SEC. 69. *Walls of courts.*—In multiple dwellings the walls of all courts, unless built of a light color brick or stone, shall be thoroughly whitewashed by the owner or shall be painted a light color by him, and shall be so maintained. Such whitewash or paint shall be renewed whenever necessary, as may be required by the health officer.

SEC. 70. *Walls and ceilings of rooms.*—In all multiple dwellings the health officer may require the walls and ceilings of every room that does not open directly on the street to be kalsomined white or painted with white paint when necessary to improve the lighting of such room, and may require this to be renewed as often as may be necessary.

SEC. 71. *Wall paper.*—No wall paper shall be placed upon a wall or ceiling of any multiple dwelling unless all wall paper shall be first removed therefrom and said wall and ceiling thoroughly cleaned.

SEC. 72. *Receptacles for ashes, garbage, and rubbish.*—The owner of every dwelling and in the case of a private dwelling the occupant shall provide for said dwelling, keep clean and in place, proper covered receptacles of nonabsorbent material for holding garbage, refuse, ashes, rubbish, and other waste matter. Garbage chutes are prohibited.

SEC. 73. *Prohibited uses.*—No horse, cow, calf, swine, sheep, goat, chickens, geese, or ducks shall be kept in any dwelling or part thereof. Nor shall any such animal be kept on the same lot or premises with a dwelling except under such conditions as may be prescribed by the health officer. No such animal, except a horse, shall under any circumstances be kept on the same lot or premises with a multiple dwelling. No dwelling or the lot or premises thereof shall be used for the storage or handling of rags or junk.



SEC. 74. *Janitor or housekeeper.*—In any multiple dwelling in which the owner thereof does not reside, there shall be a janitor, housekeeper, or other responsible person, who shall reside in said house and have charge of the same, if the health officer shall so require.

SEC. 75. *Overcrowding.*—If any room in a dwelling is overcrowded the health officer may order the number of persons sleeping or living in said room to be so reduced that there shall be not less than 500 cubic feet of air to each adult and 300 cubic feet of air to each child under 12 years of age occupying such room.

SEC. 76. *Lodgers prohibited.*—The health officer may prohibit in any multiple dwelling the letting of lodgings therein by any of the tenants occupying such multiple dwelling, and may prescribe conditions under which lodgers or boarders may be taken in multiple dwellings. It shall be the duty of the owner of all multiple dwellings to see that the requirements of the health officer in this regard are at all times complied with. The provisions of this section may be extended to private dwellings and two-family dwellings, as may be found necessary by the health officer.

SEC. 77. *Infected and uninhabitable dwellings to be vacated.*—Whenever it shall be certified by an inspector or officer of the board of health that a dwelling is infected with contagious disease or that it is unfit for human habitation, or dangerous to life or health by reason of want of repair, or of defects in the drainage, plumbing, lighting, ventilation, or the construction of the same, or by reason of the existence on the premises of a nuisance likely to cause sickness among the occupants of said dwelling, or for any cause, the health officer may issue an order requiring all persons therein to vacate such house within not less than 24 hours nor more than 10 days for the reasons to be mentioned in said order. In case such order is not complied with within the time specified, the health officer may cause said dwelling to be vacated. The health officer, whenever he is satisfied that the danger from said dwelling has ceased to exist, or that it is fit for human habitation, may revoke said order or may extend the time within which to comply with the same.

SEC. 78. *Repairs to buildings, etc.*—Whenever any dwelling or any building, structure, excavation, business pursuit, matter, or thing, in or about a dwelling, or the lot on which it is situated, or the plumbing, sewerage, drainage, light, or ventilation thereof, is, in the opinion of the health officer, in a condition or in effect dangerous or detrimental to life or health, the health officer may declare that the same, to the extent he may specify, is a public nuisance, and may order the same to be removed, abated, suspended, altered, or otherwise improved or purified, as the order shall specify. In addition to the above powers, the health officer may also order or cause any dwelling or excavation, building, structure, sewer, plumbing pipe, passage, premises, ground, matter, or thing in or about a dwelling, or the lot on which it is situated, to be purified, cleansed, disinfected, removed, altered, repaired, or improved. If any order of the health officer issued under the authority of the provisions of this code is not complied with, or so far complied with as he may regard as reasonable, within five days after the service thereof, or within such shorter time as he may designate, then such order may be executed by said health officer through his officers, agents, employees, or contractors.

#### ARTICLE 6. IMPROVEMENTS.

SEC. 80. *Rooms, lighting and ventilation of.*—No room in a dwelling erected prior to the passage of this code shall hereafter be occupied for living purposes unless it shall have a window of an area of not less than 8 square feet open-

ing directly upon the street, or upon a rear yard not less than 10 feet deep, or above the roof of an adjoining building, or upon a court or side yard of not less than 25 square feet in area open to the sky without roof or skylight, unless such room is located on the top floor and is adequately lighted and ventilated by a skylight opening directly to the outer air, except that a room which can not be made to comply with the above provisions may be occupied if provided with a sash window of not less than 15 square feet in area, opening into an adjoining room in the same apartment, group or suite of rooms, which latter room either opens directly on the street or on a rear yard of the above dimensions, or itself connects by a similar sash window or series of windows with such an outer room. Said sash window shall be a vertically sliding pulley-hung sash not less than 3 feet by 5 feet between stop heads; both halves shall be made so as to readily open, and the lower half shall be glazed with translucent glass, and so far as possible it shall be in line with windows in the said outer room opening on the street or rear yard so as to afford a maximum of light and ventilation.

SEC. 81. *Public halls and stairs, lighting and ventilation of.*—In all dwellings erected prior to the passage of this code the public halls and stairs shall be provided with as much light and ventilation to the outer air as may be deemed practicable by the health officer, who may order the cutting in of windows and skylights and such other improvements and alterations in said dwellings as in his judgment may be necessary and appropriate to accomplish this result. All new skylights hereafter placed in such dwellings shall be in accordance with section 36 of this code and shall be of such size as may be determined to be practicable by the health officer.

SEC. 82. *Sinks and water-closets.*—In all dwellings erected prior to the passage of this code the woodwork inclosing sinks and water-closets shall be removed and the space underneath said fixtures shall be left open. The floor and wall surfaces beneath and around such fixtures shall be put in good order and repair, and, if of wood, shall be kept well painted with light-colored paint. Defective and antiquated water-closets fixtures shall be replaced by proper fixtures, as defined by this code.

SEC. 83. *Privy vaults, school sinks, and water-closets.*—Whenever a connection with a sewer is possible, all privy vaults, school sinks, cesspools, crock hoppers, or other similar receptacles used to receive fecal matter, urine, or sewage, shall, with their contents, be completely removed and the place where they were located properly disinfected under the direction of the health officer. Such appliances shall be replaced by individual water-closets of durable nonabsorbent material, properly sewer connected, and with individual traps, and properly connected flush tanks providing an ample flush of water to thoroughly cleanse the bowl. Each such water-closet shall be located inside the dwelling or other building in connection with which it is to be used, in a compartment completely separated from every other water-closet, and such compartment shall contain a window of not less than 4 square feet in area opening directly to the street, or rear yard, or on a side yard or court of the minimum sizes prescribed in sections 22 and 23 of this code. The floors of water-closet compartments shall be as provided in section 44 of this code. Such water-closets shall be provided in such numbers as required by section 62 of this code. Such water-closets and all plumbing in connection therewith shall be sanitary in every respect, and, except as in this code otherwise provided, shall be in accordance with the local ordinances and regulations in relation to plumbing and drainage. Pan, plunger, and long hopper closets will not be permitted. No water-closets shall be placed out of doors.

SEC. 84. *Basements and cellars.*—The floor of the cellar or lowest floor of every dwelling shall be free from dampness, and when necessary shall be concreted with not less than 4 inches of concrete of good quality and with a finished surface. The cellar ceiling of every dwelling shall be plastered when so required by the health officer.

SEC. 85. *Shafts and courts.*—In every dwelling where there is a court or shaft of any kind there shall be at the bottom of every such shaft and court a door giving sufficient access to such shaft or court to enable it to be properly cleaned out: *Provided*, That where there is already a window giving proper access it shall be deemed sufficient.

#### ARTICLE 7. REQUIREMENTS AND REMEDIES.

SEC. 90. *Permit to commence building.*—Before the construction or alteration of a dwelling or the alteration or conversion of a building for use as a dwelling is commenced, and before the construction or alteration of any building or structure on the same lot with a dwelling, the owner or his agent or architect shall submit to the health officer a detailed statement in writing, verified by the affidavit of the person making the same, of the specifications for such dwelling or building upon blanks or forms to be furnished by the health officer, and also full and complete copies of the plans of such work. With such statement there shall be submitted a plat of the lot showing the dimensions of the same, the location of the proposed building and all other buildings on the lot. Such statement shall give in full the name and residence, by street and number, of the owner or owners of such dwelling or building and the purposes for which such dwelling or building will be used. If such construction, alteration, or conversion is proposed to be made by any other person than the owner of the land in fee, such statement shall contain the full name and residence, by street and number, not only of the owner of the land but of every person interested in such dwelling, either as owner, lessee, or in any representative capacity. Said affidavit shall allege that said specifications and plans are true and contain a correct description of such dwelling, building, structure, lot, and proposed work. The statements and affidavits herein provided for may be made by the owner or by the person who proposes to make the construction, alteration, or conversion, or by his agent or architect. No person, however, shall be recognized as the agent of the owner unless he shall file with the health officer a written instrument signed by such owner designating him as such agent.

Such specifications, plans, and statements shall be filed with the board of health, and shall be deemed public records, but no such specifications, plans, or statements shall be removed from the office of the board of health. The health officer shall cause all such plans and specifications to be examined. If such plans and specifications conform to the provisions of this code, they shall be approved by the health officer and a written certificate to that effect shall be issued by him to the person submitting the same. The health officer may from time to time approve changes in any plans and specifications previously approved by him, provided the plans and specifications when so changed shall be in conformity with this code. The construction, alteration, or conversion of such dwelling, building, or structure, or any part thereof, shall not be commenced until the filing of such specifications, plans, and statements, and the approval thereof, as above provided. The construction, alteration, or conversion of such dwelling, building, or structure shall be in accordance with such approved specifications and plans. No permit shall be granted and no plans approved

by the chief inspector of buildings for the construction or alteration of a dwelling or for the alteration or conversion of any building for use as a dwelling until there has been filed in the office of the chief inspector of buildings a certificate of the health officer, issued as above provided, to the effect that such dwelling or building conforms to the provisions of this code. The construction, alteration, or conversion of such dwelling, building, or structure shall be in accordance with such approved specifications and plans. Any permit or approval which may be issued by the health officer, but under which no work has been done above the foundation walls within one year from the time of the issuance of such permit or approval, shall expire by limitation. The health officer shall have the power to revoke or cancel any permit or approval in case of any failure or neglect to comply with any of the provisions of this code, or in case any false statement or misrepresentation is made in any specifications, plans, or statements submitted or filed for such permit or approval.

SEC. 91. *Certificate of compliance.*—No building hereafter constructed as or altered into a dwelling shall be occupied in whole or in part for human habitation until the issuance of a certificate by the health officer that said dwelling conforms in all respects to the requirements of this code relative to dwellings hereafter erected. Such certificate shall be issued 15 days after written application therefor if said dwelling at the date of such application shall be entitled thereto.

SEC. 92. *Prohibited occupation.*—If any building hereafter constructed as or altered into a dwelling be occupied in whole or in part for human habitation, in violation of the last session, said premises shall be deemed unfit for human habitation, and the health officer may cause them to be vacated accordingly.

SEC. 93. *Registry of owner's name.*—Every owner of a dwelling and every lessee of the whole house, or other person having control of a dwelling, shall file with the board of health a notice containing his name and address and also a description of the property, by street number or otherwise, as the case may be, in such manner as the health officer shall prescribe.

SEC. 94. *Registry of agent's name.*—Every owner, agent, or lessee of a dwelling may file with the board of health a notice containing the name and address of an agent of such house, for the purpose of receiving service of process, and also a description of the property by street number or otherwise as the case may be, in such manner as will enable the board of health easily to find the same. The name of the owner or lessee may be filed as agent for this purpose.

SEC. 95. *Registry of boarder or roomer.*—When required by the health officer the owner, agent, or lessee of a dwelling shall keep a registry of all boarders or roomers, boarding, living, or rooming in any dwelling. Such registry shall be in such forms as may be prescribed by the health officer.

SEC. 96. *Inspection of dwellings.*—The health officer shall cause a periodic inspection to be made of every multiple dwelling at least once a year. Such inspection shall include thorough examination of all parts of such multiple dwelling and the premises connected therewith. The health officer is also hereby empowered to make similar inspections of all dwellings as frequently as may be necessary.

#### KOKOMO, IND.

#### Weeds—Cutting and Removal. (Ord. 1860, June 25, 1918.)

SECTION 1. That it shall and is hereby declared to be the duty of every owner or of any agent of such owner, of any lot or ground within the corporate limits of the city of Kokomo, Ind., to cut and haul away all weeds or other rank vegetation growing upon said premises, or to cause the same to be done.

SEC. 2. On default of any such owner or agent of such owner to cut and haul away the weeds or rank vegetation, or to cause the same to be done, as provided for in section 1 of this ordinance, upon five days' notice from the board of health, it shall be the duty of the street commissioner, upon order from the board of health, to cause such weeds or rank vegetation to be cut and hauled away. The said street commissioner shall keep an accurate account of the expense thereof, which shall be paid from the city treasury upon the sworn voucher of the street commissioner, and the said expense shall be a lien upon such property, and shall be placed upon the tax duplicate, and shall be collected as taxes are collected, and turned into the city treasury.

SEC. 3. The notice herein provided for may be served upon the owner or agent of such owner, of any real estate as specified in section 1 hereof, by reading to or within the hearing of such person; or by leaving a certified copy thereof at the known residence of such owner, or by attaching a copy of such notice to the premises affected thereby.

SEC. 4. Any person, firm, or corporation violating any of the provisions of this ordinance, upon conviction thereof, shall be fined in any sum not less than \$25.

### MILWAUKEE, WIS.

#### Hay Fever Grasses and Weeds—Prevention of Pollenization. (Ord. 80, June 4, 1917, as amended by Ord. 153, Aug. 27, 1917.)

SECTION 1. There are hereby created five new sections of the Milwaukee Code of 1914 to be numbered and to read as follows:

SEC. 912.1. It shall be unlawful to permit, within the city of Milwaukee, the pollenization of any grasses or weeds which cause or produce hay fever in human beings. In order to prevent such pollenization, none of the following grasses, and no weeds of any kind, shall be permitted to grow or stand more than 1 foot high on any premises in the city, to wit: Meadow grass (*Poa annua*), bull grass (*Paspalum vasyanum*), Bermuda grass (*Capriola dactylon*), smut grass (*Sporobolus angustus*), Johnson grass (*Andropogon halapense*), feather grass (*Leptochloa filiformis*), foxtail grass (*Chaetochloa glauca*) and cockspur grass (*Panicum crus-galli*).

SEC. 912.2. It shall be the duty of the owner and the tenant or occupant of any leased or occupied premises, and the duty of the owner of any vacant or unoccupied premises within the city of Milwaukee, to comply with the provisions of section 912.1, both as to the premises owned or occupied and as to public sidewalks on which such premises abut.

SEC. 912.3. It shall be the duty of every holder or owner of a public franchise to comply with section 912.1 as to that portion of highways in the city of Milwaukee which such holder or owner is required to keep in repair.

SEC. 912.4. It shall be the duty of every agent or employee in charge of any premises in the city of Milwaukee to comply with the provisions of section 912.1 as to premises in his charge.

SEC. 912.41. Any person, firm, or corporation who shall be convicted of a violation of section 912.1 shall for the first offense be subjected to a penalty of not less than \$1 nor more than \$25, together with the costs of prosecution, and for the second and each subsequent offense shall be subjected to a penalty of not less than \$5 nor more than \$25, together with the costs of prosecution, and in default of payment of any such penalty or fine such person shall be imprisoned in the county jail or house of correction for Milwaukee County not less than five nor more than 30 days, or until such penalty and costs shall be paid.



## NEW ORLEANS, LA.

**Noxious Weeds and Grass—Cutting and Removal. (Ord. 5248, Oct. 2, 1918.)**

SECTION 1. That no person, firm, association, or corporation, the tenant or occupant of any leased or occupied lot or place or area, shall permit any noxious weeds or grass, or deleterious, unhealthful, or noxious growths, over 2 feet in height, to grow or stand on any lot or place or area leased or occupied by said person, firm, association, or corporation, or on any sidewalk or banquette abutting any lot or place or area leased or occupied by said person, firm, association, or corporation.

SEC. 2. That no person, firm, association, or corporation, the owner of any lot or place or area not leased or occupied by another person, firm, association, or corporation, shall permit any noxious weeds or grass or deleterious, unhealthful, or noxious growths, over 2 feet in height, to grow or stand on any lot or place or area owned by said person, firm, association, or corporation, or on any sidewalk or banquette abutting any lot or place or area owned by said person, firm, association, or corporation.

SEC. 3. That for the purpose of enforcing the provisions of this ordinance a corporation shall be deemed to be represented by its president, or in his absence by its vice president, or in the absence of both by the officer or individual in charge of the affairs of the corporation, and such representative shall be held responsible and punished for any violation by the corporation of the provisions of this ordinance.

SEC. 4. That each of the members of a firm shall be held responsible and punishable for any violation by the firm of the provisions of this ordinance.

SEC. 5. For every violation of any of the provisions of this ordinance, the person responsible shall, on conviction, be punished by a fine of not less than \$1, nor more than \$25, and in default of payment of the fine, by imprisonment in the parish prison for not less than 10 days nor more than 30 days, or both, in the discretion of the court having jurisdiction.

SEC. 6. That in addition to the provisions hereinbefore made for the cutting, destruction or removal of weeds, grass and growths, and notwithstanding the penalties provided for in section 5 of this ordinance, the commissioner of public property is hereby authorized to cut, destroy or remove any noxious weeds or grass, or deleterious, unhealthful or noxious growths, over 2 feet in height, growing or standing on any sidewalk or banquette, or on any lot or place or area, within the city of New Orleans: *Provided*, No such work shall be undertaken by said commissioner until the owner of the lot or place or area where such weeds, grass, or growths are to be cut, destroyed, or removed, or the owner of the property abutting the sidewalk or banquette where such weeds, grass, or growths are to be cut, destroyed, or removed, as the case may be, shall have had an opportunity of doing the work himself within at least 10 days after previous notice has been given him, or in his absence from the city, to the agent of leased or occupied premises, or if not known to the occupant thereof, or if not leased or occupied, by advertisement in the official journal of the city of New Orleans for two consecutive days.

The charge, cost, and expense of such work is, to the extent of the actual cost thereof to the city, by act No. 136 of the General Assembly of the State of Louisiana, session of 1918, declared to be a charge, cost, or expense of the property abutting the sidewalk or banquette or of the lot or place or area, as the case may be, where such noxious weeds, grass, or deleterious or unhealthy growths may be cut, destroyed or removed; and the commissioner of public

property shall demand of the owners of such property the payment of such charges, costs, or expenses.

If after the cutting, destruction, or removal of such weeds, grass, or growths as aforesaid shall have been done by the commissioner of public property after due notice as above stated, the cost or expense thereof shall not have been paid within 10 days after due demand, then and in that case the commissioner of public property shall cause to be recorded in the mortgage office of the parish of Orleans an attested bill showing the cost and expense incurred for the work and the place or property on which said work was done, so as to establish for the city the lien and privilege securing the payment by the property owner of said charges, costs, and expenses, accorded by said act No. 136 of 1918.

**Noxious Weeds and Grass—Cutting and Removal by City—Expenses Incurred to be a Charge Against the Property Benefited. (Act 136, July 9, 1918.)**

That act No. 159 of the General Assembly of the State of Louisiana, session of 1912, being the charter of the city of New Orleans, be and the same is hereby amended by incorporating therein the following additional section, to wit:

SEC. —. The charges, costs, and expense which may be incurred by the city of New Orleans under and by virtue of and in accordance with any health ordinance of the city of New Orleans, now or hereafter existing, providing for the cutting, destruction, or removal of noxious weeds or grass, or deleterious, unhealthy, or noxious growths on any sidewalk or banquette and on any lot or place or area within said city, shall, to the extent of the actual cost thereof to the city, be and the same are hereby declared to be a charge, cost, or expense of the property abutting the sidewalk or banquette or of the lot or place or area, as the case may be, where such noxious weeds, grass, or deleterious or unhealthy growth may be cut, destroyed, or removed: *Provided, however,* That no such work shall be undertaken by the city until the owner of the lot or place or area or the owner of the abutting property, as the case may be, where such weeds, grass or growth are to be cut and removed have an opportunity of doing the work himself within at least 10 days after previous notice has been given him, or in his absence from the city, to the agent of leased or occupied premises, or if not known to the occupant thereof, or if not leased or occupied, by advertisement in the official journal of the city of New Orleans for two consecutive days.

If, after the cutting, destruction, or removal of such weeds, grass, or growths as aforesaid shall have been done by the city after due notice as above stated, the cost or expense thereof shall not have been paid within 10 days after due demand, then and in that case the commissioner of public property of said city shall cause to be recorded in the mortgage office of the parish of Orleans an attested bill showing the cost and expense incurred for the work and the place or property on which said work was done, and from the moment of the recording of such attested account, the same shall constitute a lien and privilege or mortgage on the property, superior to vendor's lien and any other privilege or mortgage except for taxes and paving and shall remain in full force and effect for the amount due in principal and interest, costs of court, if any, for collection, until final payment has been made.

Said cost and expense shall be collected in the manner fixed by law for the collection of taxes and shall be subject to the same penalties for delinquency, etc.

Attested bills issued in accordance with the provisions of this section shall be prima facie evidence that all legal formalities have been complied with and

that the work has been properly and satisfactorily done; and the recordation of such bills in the mortgage office shall be full notice to every person concerned that the amount of the bill constitutes a charge against the property designated or described in the bills and that it is due and collectible as provided by law.

That there shall not be any cost or charge by the recorder of mortgages for recording said attested bill in the mortgage office, nor shall there be any cost or charge for releasing or canceling of said attested bill by the recorder of mortgages. That the said recorder of mortgages shall cancel or release said lien or privilege upon presentation of a receipt showing payment of said attested bill.

## NEW YORK, N. Y.

### Ventilation—Standards. (Res. Bd. of H., Dec. 11, 1917.)

*Resolved*, That the following standards for ventilation in the city of New York be, and the same are hereby, adopted:

1. *Temperature*.—The temperature in rooms during periods of occupancy should register preferably from 60° to 70° F. at all times, except when the outside temperature exceeds 60° F. This does not apply to rooms used for special purposes, such as industrial places where high or low temperatures are essential and unavoidable.

2. *Humidity*.—The relative humidity in occupied rooms should not exceed 70 per cent, except when the outside wet-bulb temperature exceeds 59°. In no case, however, should the wet-bulb temperature exceed 78°.

3. *Carbon dioxide*.—The carbon dioxide in occupied rooms in all classes of buildings should not at any time exceed 10 parts in 10,000 volumes of air in any part of the occupied spaces of the rooms.

4. *Dust*.—The dust particles in the air of occupied rooms in all classes of buildings should not exceed 1,000,000 per cubic foot, or 0.004 [grams?] (4 milligrams) per 100 cubic feet.

5. *Bacteria*.—The bacteria content should not exceed 100 per cubic foot.

6. *Odors*.—The air of occupied rooms of all classes of buildings should be free from objectionable odors, which may be detected by persons entering the room from the outside air, whether the odors are of human origin or otherwise.

### Buildings and Premises—Abutting Sidewalk, Flagging, and Curbstone to Be Free from Obstructions and Nuisances—Nuisances Prohibited. (Res. Bd of H., Oct. 30, 1918.)

*Resolved*, That section 53 of the sanitary code be, and the same is hereby, amended and made to read as follows:

SEC. 53. *Nuisances, conditions dangerous and prejudicial to life or health; duties of owners, tenants, lessees, occupants, and persons in charge of buildings and lots*.—Every owner, lessee, tenant, occupant, or person in charge of any building or premises within or adjacent to the built-up portions of the city of New York shall keep, and cause to be kept, the sidewalk, flagging, and curbstone abutting on said building or premises free from obstructions and nuisances of every kind, and shall sweep and remove, or cause to be swept and removed, therefrom all garbage, refuse, filth, dirt, and other offensive material and shall keep such sidewalk, flagging, and curbstone free from garbage, refuse, filth, dirt, and other offensive material. Every such sidewalk, flagging, or curbstone shall be spattered with wet sawdust, paper, or sand, sprinkled with water, or some other equally effective method or material used, to prevent and avoid the raising of dust when such garbage, refuse, filth, dirt, or other offen-

sive material is swept or removed therefrom. Such garbage, refuse, filth, dirt, and other offensive material removed from the sidewalk, flagging, or curbstone may be piled in the gutter or roadway between the hours of 6 and 8 o'clock in the morning, but shall not be put or placed in, or swept, shoveled, thrown, emptied, or deposited into the gutter or roadway at any other time. No such owner, tenant, lessee, occupant, or person in charge shall allow anything in, on, or about such building or premises, or any condition arising or existing therein or thereon, to become a nuisance, or dangerous or prejudicial to life or health.

**Residences and Business Establishments—Heating. (Res. Bd. of H., Oct. 17, 1918.)**

*Resolved*, That article 12 of the sanitary code be amended by adding thereto a new section to be known as section 225, to read as follows:

**SEC. 225. Heating of occupied buildings.**—It shall be the duty of every person who shall have contracted or undertaken, or shall be bound, to heat, or to furnish heat for any building, or portion thereof, occupied as a home or place of residence of one or more persons, or as a business establishment where one or more persons are employed, to heat or to furnish heat for every occupied room in such building, or portion thereof, so that a minimum temperature of 68 degrees Fahrenheit may be maintained therein at all such times: *Provided, however*, The provisions of this section shall not apply to buildings, or portions thereof, used and occupied for trades, businesses, or occupations where high or low temperatures are essential and unavoidable.

**PORTLAND, OREG.**

**Buildings—Heating. (Ord. 34912, Jan. 8, 1919.)**

**SECTION 1.** That article 5 of ordinance No. 32929 of the city of Portland entitled "An ordinance on public safety and general welfare, and declaring an emergency" passed by the council June 6, 1917, be, and the same is hereby, amended by adding thereto a new section to be numbered section 3, which new section shall read as follows:

**SEC. 3. Minimum heat.**—Every person, firm, or corporation in the city of Portland leasing or renting to another space in any building under agreement, express or implied, which includes the furnishing of heat by such person, firm, or corporation shall, during the months of October, November, December, January, February, March, April, and May of each year, furnish in such space so leased or rented heat sufficient to maintain a temperature of not less than 68° F. between the hours of 7 o'clock a. m. and 10.30 p. m. of each day, except in buildings that are regularly and customarily occupied only during the day by the lessee or tenants thereof said minimum heat shall be furnished between the hours of 8 o'clock a. m. and 5.30 p. m. of each day except Sundays and in buildings occupied at irregular intervals said minimum heat shall be furnished during the period of occupancy. It shall be the duty of the bureau of police and the bureau of health to enforce the provisions of this section.

**STREATOR, ILL.**

**Theaters and Other Public Places of Amusement—Ventilation, Cleaning, and Disinfection—Toilets. (Ord. June 18, 1917.)**

**SECTION 1.** That it shall be unlawful for any person or persons, firm or corporation, or any agent, managing officer, or employee thereof to operate or

permit to be operated within the limits of the city of Streator, any theater, moving-picture show, or other place of public amusement or recreation where the public congregate unless the same shall be cleansed daily and disinfected at least once each week and at such other times as may be required and in a manner to be approved by the board of health, or such officer or inspector as may be designated by said board of health. Every motion-picture theater shall be efficiently ventilated, either by natural means or mechanically. The floors of all theaters and other public places of amusement not vacuum cleaned or suction cleaned shall be sprinkled with water or damp sawdust or similar preparation before sweeping. Dusting with a feather duster or similar device is prohibited. All dusting must be done with cloths or other suitable material so treated as to retain the dust, or by the vacuum method. Twenty minutes after each sweeping or dusting, the place must be aired for at least 15 minutes before the public is admitted.

SEC. 2. That theaters accommodating 300 persons or more where water and sewerage systems are available shall be provided with sanitary equipments as follows:

In theaters, separate toilet rooms in connection with the main auditoriums shall be provided for males and females and, in these shall be installed the following fixtures: One water-closet to each 20 females, one water-closet to each 300 males, and one urinal to each 300 males. The above number of fixtures shall be based upon the maximum seating capacity and it shall be assumed that the audience will be equally divided between males and females. Toilet rooms for males shall be clearly marked "Men's Toilet," and for females "Women's Toilet."

SEC. 3. That whoever shall fail to comply with the provisions of these articles shall, upon conviction, be subject to a fine of not less than \$5 nor more than \$100 for each and every offense.

#### TRENTON, N. J.

##### Weeds and Grass Over 18 Inches High Prohibited. (Ord. Sept. 5, 1917.)

1. The tenant or occupant of any leased or occupied lot or premises shall not permit weeds or grass over 18 inches in height to grow or stand on said lot or premises so occupied.

2. The person or corporation owning any lot or premises not leased or occupied by another shall not permit weeds or grass over 18 inches in height to grow or stand on such lot or premises so owned.

3. The tenant or occupant of any leased or occupied lot or premises shall not permit weeds or grass over 18 inches in height to grow or stand on the sidewalk abutting such lot or premises so occupied.

4. The person or corporation owning any lot or premises not leased or occupied by another shall not permit weeds or grass over 18 inches in height to grow or stand on the sidewalk abutting such lot or premises so owned.

5. A firm or corporation having rights, privileges, or franchises on any of the streets in the city of Trenton, shall not permit weeds or grass over 18 inches in height to grow or stand on any street or area, or any part thereof, which by the terms of its rights or franchises it is bound to care for, or to keep in good order, condition, and repair.

6. The owner shall be deemed to be the person, firm, or corporation appearing as owner upon the plottings found in the city engineer's office. Each of the members of a firm shall be held responsible and punishable for any violation by the firm of the provisions of this ordinance.

7. For every violation of any of the provisions of this ordinance, the person, firm, or corporation responsible shall, on conviction, be punishable by a fine not exceeding \$100.



## COMMON DRINKING CUPS AND COMMON TOWELS.

### LOUISVILLE, KY.

#### **Common Drinking Cups and Common Towels—Prohibited in Public Places— Cleaning of Eating and Drinking Utensils in Food and Drink Places. (Ord. Oct. 6, 1917.)**

SECTION 1. It shall be unlawful to expose, keep, provide, or permit any drinking vessels to be used in common in any public, private, or parochial school or Sunday school, hotel, lodging house, boarding house, restaurant, depot, station, waiting room, boat, store, factory, hall theater, moving picture house, library, public institution, street, park, or any other public place.

SEC. 2. No glass, dish, cup, spoon, measure or other eating or drinking vessel or utensil used in or at any hotel, saloon, restaurant, drug store, soda fountain, or other place of public refreshment in the city of Louisville shall be offered or permitted to be used by any other patron unless it has been thoroughly cleansed since it was last used and is thoroughly clean at the time that it is offered for use.

SEC. 3. No person, firm, or corporation having the management or control of any factory, department store or other business establishment, school, hotel, theater, concert hall, restaurant, café, ferry boat, ferry house or river boat, public lavatory or wash room, shall maintain therein or thereat any towel or towels for use in common.

SEC. 4. The term "common" is hereby defined as more than one person.

SEC. 5. Any person or corporation violating the provisions of this ordinance shall be fined not less than \$1 nor more than \$10 and each day's violating shall constitute a separate offense.

### PORT CHESTER, N. Y.

#### **Common Drinking Cups, Common Eating and Drinking Utensils, and Common Towels Prohibited in Public Places. (Reg. Jan. 21, 1918.)**

Ch. 7. REG. 2. *Common towel forbidden.*—No person, firm, or corporation owning, in charge of, or in control of any lavatory or wash room in any hotel, lodging house, restaurant, factory, store, office, building, railway or trolley station, or public conveyance by land or water shall provide in or about such lavatory or wash room any towel for common use. The term "common use" in this regulation shall be construed to mean for use by more than one person without cleansing.

REG. 3. *Common drinking cups and drinking and eating utensils forbidden.*—The use of common drinking cups and of common drinking or eating utensils in any public place or public institution, except in hospitals for the insane, or in any hotel, saloon, lodging house, theater, factory, store, school or public hall, or in any railway or trolley car or ferry boat, or in any railway or trolley station or ferry house, or the furnishing of any such common drinking cup or drinking or eating utensil for common use in any such place is prohibited.

The term "common use" in th's regulation shall be construed to mean for use by more than one person without adequate cleansing.

## COMMUNICABLE DISEASES.<sup>1</sup>

### ALAMEDA, CALIF.

#### Communicable Diseases—Notification of Cases. (Ord. 145, N. S., Mar. 4, 1919.)

SECTION 1. Every physician or healer, licensed or nonlicensed, including any person of any cult or sect practicing or professing the science of healing, attending any person suffering from any of the diseases mentioned in section 3 hereof, must report the same in writing to the health office at the city hall within 24 hours after learning of the same, giving his or her name, and the name, sex, age, address, occupation of the patient, and date of the onset.

It shall be the duty of every nurse, or person acting as nurse, to report said cases in time, form, and manner as aforesaid, in the event that a physician or healer is not in attendance.

In case no such physician, healer, nurse, or person acting as nurse, is in attendance on the case, it shall be the duty of the head of the family occupying the premises or any other person having knowledge of such case, to make the report aforesaid. The words "head of family" to be construed as defined in section 1261 of the civil code.

SEC. 2. Every druggist having knowledge of any such case and knowing that the same has not been reported to the health office, as aforesaid, shall immediately report the same as herein provided.

SEC. 3. The diseases referred to in the foregoing sections, and which by the provisions of this ordinance are required to be reported to the health office in time, form, and manner as aforementioned, are as follows:

Acute poliomyelitis (infantile paralysis), actinomycosis, anthrax, beriberi, bubonic plague, chicken pox, cholera, dengue, diphtheria, dysentery (epidemic), epidemic cerebrospinal meningitis, erysipelas, German measles, glanders, gonococcus infection, influenza, leprosy, malaria fever, measles, mumps, ophthalmia neonatorum, pellagra, pneumonia, lobar pneumonia, influenza pneumonia, rabies (hydrophobia), relapsing fever, scarlet fever, smallpox, syphilis, tetanus, trachoma, trichiniasis, tuberculosis, typhoid fever, typhus fever, uncinariasis (hookworm), whooping cough and yellow fever, or any other disease specified by the department of health.

SEC. 4. Every person violating any of the provisions of this ordinance or failing, neglecting, or refusing to report the existence of any of the aforesaid diseases which may come to his or her knowledge, who, by the terms of this ordinance is required to report the same, shall be guilty of a misdemeanor, and upon arrest and conviction thereof shall be punishable by a fine of not more than \$50 or imprisonment in the city jail of Alameda for not more than 10 days or by both such fine and imprisonment. Such fine may be recoverable by civil action and be tried by the court without a jury.

<sup>1</sup> See also Hospitals, homes, and nurseries, p. 226; Malaria and mosquitoes, p. 255; Venereal diseases, p. 399.

## ALLENTOWN, PA.

**Diphtheria — Quarantine — Disinfection — Hospitalization — Carriers — Contacts—Sale and Handling of Milk and Foodstuffs. (Ord. Sept. 19, 1919.)**

SECTION 1. That section 4 of ordinance No. 342, adopted by city council and signed by the mayor on the 4th day of March, 1916, be amended by adding the following sections after the word "removal" in line 14 of said ordinance.

SEC. 2. In all cases of diphtheria (membranous croup, diphtheritic croup, putrid sore throat) quarantine must be maintained for a minimum period of 14 days, or until the patient yields negative cultures from nose and throat—two negative cultures on successive days.

SEC. 3. No negative cultures from the patient made in less than 12 days from the onset of the disease shall be accepted for the purpose of terminating quarantine. All cultures must be taken by a representative of the department of health.

SEC. 4. Persons known to be diphtheria carriers must be placed in quarantine and isolated as far as possible. Quarantine of diphtheria carriers shall be raised after two negative cultures from the nose and throat of the carrier are obtained on consecutive days.

SEC. 5. All cases of diphtheria (membranous croup, diphtheritic croup, putrid sore throat) must be discharged by the attending physician, in writing, prior to the taking of any cultures for the release of quarantine.

SEC. 6. All children in the family where diphtheria is found should be given an immunizing dose of antitoxin, that is to say, a dose that will prevent diphtheria, unless upon test immunity from diphtheria is proven.

SEC. 7. Children under 16 years of age, continuing to reside on the infected premises must be confined to the building, house, or flat, as the case may be, until quarantine has been raised by the health authorities, and thereafter shall not be permitted to mingle with well children until a negative culture has been obtained from the nose and throat.

SEC. 8. Any susceptible child exposed to a case of diphtheria, even though not a member of the family in which a case exists and not residing on the infected premises, shall be kept away from all well children and shall be excluded from all schools, public, private, and parochial, Sunday schools, churches, and all public places for a period of seven days, unless a negative culture has been obtained from the child's nose and throat, following such exposure.

SEC. 9. The patient shall be nursed only by one person, who should stay in the sick room and not mingle with the rest of the family. After death, recovery, or removal of the patient the nurse must yield one negative culture from the nose and throat prior to removal of quarantine.

SEC. 10. Whenever, in the opinion of the health officer, that any person or persons affected with diphtheria (membranous croup, diphtheritic croup, putrid sore throat) under such circumstances that the continuance of such person or persons in the house, dwelling, apartment, flat, room, or rooms where he or she may be is dangerous to the lives and health of other persons residing therein, or in the immediate neighborhood, may cause the removal of such person or persons to a hospital for the treatment of the disease [sic].

SEC. 11. No person, patient, or contact, and no article of any kind whatsoever, shall be removed from the premises upon which a case of diphtheria (membranous croup, diphtheritic croup, putrid sore throat) has been found unless consent to such removal be first obtained from the department of health.

SEC. 12. All persons (other than the patient) who wish to leave the infected house and live elsewhere during the continuance of the disease in the house

must take an antiseptic bath, must be cultured showing negative result, shampoo their hair, and have their clothing disinfected by a representative of the department of health before they will be permitted to leave the quarantined premises.

SEC. 13. All articles taken from the sick room must be disinfected upon removal. Exposures in the open air of carpets, rugs, curtains, bedding, and similar articles from the infected premises for the purpose of airing, shaking, beating, or sunning, is strictly prohibited while the premises are under quarantine.

SEC. 14. Books, toys, and other similar articles used to amuse the patient are best disposed of by burning. Under no circumstances should borrowed toys or books be returned. Library and school books must not be returned. They must be burned.

SEC. 15. During the quarantine period the taking or sending of any mail matter from the infected premises is positively prohibited.

SEC. 16. Whenever the schools are closed on account of an outbreak of diphtheria, all children under 16 years of age shall be excluded from Sunday schools, churches, moving-picture shows, and all other public gatherings, and shall be confined to their own premises.

SEC. 17. Whenever a case of diphtheria (membranous croup, diphtheritic croup, putrid sore throat) shall occur on premises connected with any store, such store shall be quarantined until the case is terminated and the premises are thoroughly disinfected, unless the premises are so constructed that that part in which the case exists can be and is effectively sealed from the store, under the supervision of a representative of the department of health, and unless the employees and all other persons connected with the store do not enter that part of the premises where the case exists and do not come in contact with the patient, his or her attendant, or any article whatsoever from the quarantined premises.

SEC. 18. Milk, foodstuffs, and other necessary supplies may be delivered at quarantined premises, but there must be no contact of any [kind] between the inmates of the quarantined premises and the delivery agents. Wherever practicable, milk must be delivered in bottles. Where milk can not be delivered in bottles, the householder must place a thoroughly sterile container (a freshly scalded bottle or pail) to receive the milk at some convenient place outside the house out of reach of dogs or cats. No milk bottle, basket, or any other article whatsoever may be taken out of or away from the infected premises during the period of quarantine. Before milk bottles are removed from the premises after quarantine is raised they must be sterilized under the direction of a representative of the department of health.

SEC. 19. Dogs, cats, and other household pets must be excluded from the infected premises during the entire period of quarantine. Any such animals which have been in contact with the patient must be killed or subjected to a thorough disinfecting bath before removal from the infected premises, and must not be permitted to reenter the same until quarantine has been raised and the premises have been disinfected.

SEC. 20. All ordinances or parts of ordinances relating to diphtheria (membranous croup, diphtheritic croup, putrid sore throat) inconsistent herewith are hereby repealed.

## BAKERSFIELD, CALIF.

**Communicable Diseases—Notification of Cases—Quarantine—Isolation—Placarding—Cleaning, Renovation, and Disinfection—Transportation and Removal of Infected Persons—School Attendance—Tuberculosis Records to be Secret—Exclusion of Pupils with Pediculosis—Regulations by Health Officer. (Ord. 368, Mar. 18, 1918.)**

SECTION 1. That for the purposes of this ordinance the following words and phrases shall have the meaning hereinafter set forth:

*Carrier.*—Any person who may be free from symptoms of a disease and who harbors bacilli or germs of such disease.

*Contagious.*—Communicable by contact or touch.

*Contact.*—A person who has been recently in close association with a person infected.

*Communicable disease.*—Disease capable of being communicated.

*Exclusion period.*—Time prescribed by health officer for quarantine or isolation of persons infected with contagious or communicable disease.

*Infectious disease.*—Disease communicated by chance; carried in the air or water and thus spread without contact with the patient.

*Isolate.*—To compel to remain at a distance or at a given place without intercourse.

*Quarantine period.*—The period of time which must elapse before those exposed to contagion, or attacked by it, can be considered incapable, respectively, of developing or transmitting the disease, and during which time all persons are forbidden to enter or leave the premises or remove any articles therefrom without the permission of the health officer.

SEC. 2. It is hereby made the duty of every physician, Christian Science practitioner, or purported healer of any and every kind and character or name in the city of Bakersfield, who visits for treatment, or treats any person for contagious sickness, no matter by what name same may be designated by such physician or person, either as illness, disease, or error, or in what manner the same may be treated by such person, to report such contagious case immediately to the health officer; and it is also their duty to report to such health officer all cases or suspected cases of anthrax, beriberi, cerebrospinal meningitis (epidemic), chickenpox, cholera (Asiatic), dengue, diphtheria, dysentery, erysipelas, German measles, glanders, gonococcus infection (report by office number), hookworm, leprosy, malaria, measles, mumps, ophthalmia neonatorum, paratyphoid fever, pellagra, plague, pneumonia (lobar), poliomyelitis (infantile paralysis), rabies, Rocky Mountain spotted (or tick) fever, scarlet fever, smallpox, syphilis (report by office number), tetanus, trachoma, tuberculosis, typhoid fever, typhus fever, whooping cough, yellow fever, and all contagious, infectious, and communicable diseases required by the rules of the State board of health to be reported to such board.

SEC. 3. It shall be the duty of the head of every household, and every person keeping a boarding or lodging house, or a hotel, or the superintendent of any institution or any school within the city of Bakersfield to forthwith report to the health officer of said city, if a report has not been already made as provided in section 2 hereof, the name of every person who is an inmate of his or her home, or his or her hotel, boarding or lodging house, institution, or school, whom he or she has reason to believe has any disease mentioned in section 2 hereof, or any contagious or infectious disease, and shall also report



the death of any person occurring in said house, hotel, boarding or lodging house, from any such contagious disease.

SEC. 4. It shall be the duty of the health officer or of some person authorized by him, immediately after the receipt of notice announcing the existence in any building of any infectious or contagious disease, to quarantine same if so directed by the State board of health, or if in his judgment said building should be quarantined. Said building shall be quarantined by posting in such places as may be designated by the health officer, a placard or flag upon which shall be printed the name of the disease in plain and legible letters of at least 2½ inches in length. The health officer may, in his judgment, quarantine the whole or any portion of said building. Placards or flags announcing the existence of infectious or contagious diseases in a building or part of a building shall not be removed, defaced, or destroyed by any person except the health officer, or by some person authorized by him and in no case until the premises shall have been thoroughly disinfected. Premises or parts of premises, while quarantined, shall not be visited nor resided in by any person or persons other than those who are sick, or by those in attendance on said sick person or persons.

SEC. 5. No person shall drive or use any vehicle or permit any vehicle belonging to him or her, or under his or her control, to be driven or used for the conveyance or removal of any person or persons infected with any infectious or contagious diseases without the written consent of the health officer first had and obtained.

SEC. 6. No person attending upon or coming in contact with any person infected with any contagious or infectious disease in such a manner or to such an extent as to render them liable to communicate the disease (except physicians, clergymen, nurses, and those engaged in treating contagious diseases) shall go upon any public street or attend public or private school, church, place of amusement, or in any way mingle with people not affected with the disease, and all places, premises, and exposed rooms, and all personal property which have become infected with infectious or contagious matter by reason of such contact, shall be thoroughly disinfected by or under the direction of the health officer, and in such manner as he shall direct.

SEC. 7. No person shall remove a patient suffering from any infectious or contagious disease from any house, or place within the city of Bakersfield, to any other house or place without the written consent of the health officer; and all such removals shall be done only by or under the direction of the health officer.

SEC. 8. All diseases mentioned in section 2 hereof shall be subject to quarantine in the manner and for the period as prescribed by the State board of health, for each such disease, respectively.

SEC. 9. It shall be the duty of the health officer to see that all cases of chicken pox, measles, German measles, mumps, and whooping cough, are properly isolated and to define the area in which the patient and his immediate attendants are to be officially isolated. Without permission from the health officer, no person shall carry, remove, or cause or permit to be carried or removed from any hotel, boarding house, lodging house, or other dwelling, any person affected with the diseases mentioned herein. Isolation in these diseases is defined as that degree of detention necessary to insure noncontact with susceptible persons. Isolation shall be terminated only by the health officer.

SEC. 10. When a person affected with any of the diseases mentioned in section 9 of this ordinance is properly isolated on the premises, adult members of the family or household, unless forbidden by the health officer, may continue their usual vocations, provided such vocations do not bring them in close contact with children.

SEC. 11. Every child or teacher, or any adult person who is an inmate of a household in which there is or has been within 15 days, any of the diseases mentioned in section 9 of this ordinance, shall be excluded from every public, private, or Sunday school, and from every public or private gathering of children, except upon written permission of the health officer. Persons excluded from school under this regulation shall return only on presentation to the school authorities of a certificate from the health officer that they are eligible so to do.

SEC. 12. It shall be the duty of the principal or other person in charge of any public, private, or Sunday school to exclude therefrom any child or other person affected with a disease presumably communicable, until such child or other person shall have been seen by the school nurse or shall have presented a certificate issued by the health officer or by the attending physician and countersigned by the health officer stating that such child or other person is not liable to convey a communicable disease.

SEC. 13. Records of tubercular cases when reported as provided in section 2 hereof shall not be kept so that they are accessible to the public, and special care shall be taken to protect the privacy of these records.

SEC. 14. When premises have been vacated by a person sick with open tuberculosis they must not be occupied until the same have been thoroughly cleaned and disinfected to the satisfaction of the health officer. Such cleaning should be performed at the expense of the owner or occupant of the premises. When in the opinion of the health officer renovation is also necessary, this may consist of repapering, retinting, or recalcimining of walls and woodwork, such premises not to be occupied except upon written permission from the health officer.

SEC. 15. All children having infectious discharges from eyes, ears, or suppurating glands shall be excluded from school until the discharge has disappeared, and shall not be permitted to attend same without written permission of the health officer.

SEC. 16. All children having pediculosis shall be excluded from school until same have disappeared, and shall not be permitted to attend said school without written permission of the health officer.

SEC. 17. It shall be the duty of the health officer to make such other rules and regulations for the prevention and control of all contagious, infectious, and communicable diseases as may be necessary or the rules of the State board of health may require.

SEC. 18. Any person failing to perform any duty prescribed herein or violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine in the sum not exceeding \$300 or by imprisonment in the county jail for a period not exceeding 90 days, or by both fine and imprisonment.

SEC. 19. Each such person shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provision of this ordinance is committed, continued, or permitted by such person, and shall be punishable therefor as provided by this ordinance.

## BEAUMONT, TEX.

### Rabies—Prevention—Muzzling of Dogs. (Ord. Aug. 6, 1918.)

SECTION 1. From and after the passage and lawful publication of this ordinance it shall be unlawful for the owner of any dog running at large in the city of Beaumont to permit said dog so to run at large without being muzzled during the months of June, July, August, and September of any year.

SEC. 2. The owner of any dog found running at large without being muzzled, within the city of Beaumont, during the months of June, July, August, and September of any year shall be deemed guilty of a misdemeanor and upon conviction thereof in the city recorder's [court?] shall be fined in any sum not less than \$10 nor more than \$50; and each day said dog is permitted to run at large unmuzzled during said months shall constitute a separate offense.

SEC. 3. Any dog found running at large in the city of Beaumont without a muzzle shall be taken up by the dog catcher and placed in the pound and be disposed of as is now provided for dogs on which the tax has not been paid, and during said months of June, July, August, and September the payment of the dog tax shall not serve to exempt said dog from said seizure by the dog catcher.

### BERKELEY, CALIF.

#### Influenza—Notification of Cases. (Ord. 609, effective Jan. 17, 1919.)

SECTION 1. It shall be the duty of any and all physicians, surgeons, practitioners, healers, and nurses practicing in the city of Berkeley, upon discovery of any patient afflicted with influenza, in any of its forms, to at once report in writing to the health officer of said city of Berkeley, the name, address, age, and sex of such patient, and the date of onset, to the end that such measures be adopted by said health officer as shall correctly inform the attendants and relatives of said patient, concerning the proper methods whereby the further spread of the same may be inhibited.

SEC. 2. A violation of this ordinance shall be deemed a misdemeanor and punishable by a fine not exceeding \$50, or by imprisonment not exceeding 30 days, or by both such fine and imprisonment.

#### Influenza—Wearing of Gauze Masks Required in Certain Cases. (Ord. 610, effective Jan. 17, 1919.)

SECTION 1. During the period of the epidemic of influenza, which is now prevalent in the city of Berkeley, which for the purpose of this ordinance shall be deemed to exist until the proclamation, provided for in section 2 of this ordinance, shall have been issued, every person in any indoor place or assemblage where two or more persons are congregated, except in private homes; every person engaged in the sale, handling, or distribution of foodstuffs or wearing apparel, shall wear a mask or covering over the nose and mouth, consisting of four-ply material, known as butter cloth or fine-mesh gauze, at the four corners of which are attached tape or other fastening, so that the mask or covering can be made to firmly cover the nose and mouth: *Provided*, That this ordinance shall not apply to any person when partaking of a meal or when occupying an operator's chair in a barber shop, or dentist's office. Said mask shall be not less than five inches in width and seven inches in length, and shall be kept at all times in a clean and sanitary condition.

SEC. 2. When the health officer of the city of Berkeley shall determine that the said epidemic of influenza has ceased to exist in the city of Berkeley, said health officer shall so communicate to the mayor of the city of Berkeley, who thereupon shall issue a proclamation to the people of the city of Berkeley proclaiming the fact that the health officer has determined that said epidemic has ceased to exist, and that it is no longer necessary to wear a mask, as provided herein.

SEC. 3. Every person who shall violate any of the provisions of section 1 of this ordinance shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than \$5 nor more than \$100, or by imprisonment for a period of not exceeding 30 days, or by both such fine and imprisonment.

**BIRMINGHAM, ALA.****Diphtheria Antitoxin—Sales by Pharmacists and Druggists to Be Reported.  
(Ord. 508-C, Oct. 24, 1917.)**

SECTION 1. That it shall be the duty of every person, firm, or corporation engaged in or carrying on the business of a pharmacist or druggist in the city of Birmingham to make a report by telephone to the city health officer within 24 hours after all sales made at retail by such pharmacist or druggist of diphtheria antitoxin, and a written report on each Monday morning of all sales during the preceding week of diphtheria antitoxin made by such druggist or pharmacist at retail to persons living or sojourning permanently, temporarily or casually in the city of Birmingham. Such report shall show:

1. The name of the person, firm, or corporation selling or otherwise disposing of such diphtheria antitoxin and the address or place of such business.

2. The date of the sale.

3. The name and address of the purchaser.

4. Number of packages bought.

5. Number of units bought.

6. Name and address of the patient for whom bought.

SEC. 2. That it shall be the duty of every pharmacist and druggist doing business in the city of Birmingham to make a written report weekly, whether sales have been made or not, and if no sale has been made that fact shall be reported.

SEC. 3. That any person, firm, or corporation violating any of the provisions of this ordinance shall, upon conviction, be punished within the limits and as provided by section 1216 of the Code of Alabama.

**Smallpox Vaccination—Admission of Pupils to School. (Ord. 551-C, Mar. 27, 1918.)**

SECTION 1. No person shall attend any public, parochial, or private school in the city of Birmingham unless such person shall be vaccinated or has had smallpox.

SEC. 2. That this section shall be enforced by the board of health, except in the case of a person who may show by certificates of reputable physicians that such person has submitted to the process of vaccination not less than three times, or who holds a certificate issued by the board of health of Jefferson County, Ala., that he or she is an unfit subject for vaccination. Said board of health shall issue such certificate upon the advice of a registered physician, approved by said board of health.

SEC. 3. That the board of education of the city of Birmingham shall not admit any pupil into the schools without satisfactory evidence that such pupil has complied with all statutes and city ordinances relating to the protection and preservation of the health of school children and of this ordinance. The city physician, health officer, and his assistants shall at all times be prepared to vaccinate at the expense of the city any pupil of the public schools who is unable to pay the expense of vaccination.

SEC. 4. That the certificate from the board of health that the pupil bears physical evidence of having had vaccina or variola shall be regarded as satisfactory proof that the pupil has been vaccinated or has had smallpox within the meaning of this ordinance.

## BOONE, IOWA.

**Influenza and Pneumonia—Notification of Cases. Measures to Prevent Spread of Influenza. (Reg. Bd. of H., Dec. 5, 1918.)**

1. That from and after this date, all schools of the city, all churches, all pool halls, card rooms, theaters, moving picture shows, houses of entertainments and amusements, district court, except for the hearing of equity cases and matters tryable to the court without witnesses, dances, lodges, banquets, social and religious gatherings, and all other public gatherings of every kind and description whatsoever, be closed and prohibited.

2. That all mercantile houses and other places of business of the city, including five and ten-cent stores, shall not permit more than 12 patrons or persons in any store or place of business at any one time, in addition to the regular employees, and no place of business shall remain open between the hours of 7 p. m. and 7 a. m. on any day, excepting only eating houses, hotels, restaurants and the prescription departments of drug stores, and no loafing shall be permitted therein.

3. That all funerals shall be private and that no public funerals shall be held.

4. That no special sales of any kind shall be advertised or held by any of the merchants in said city.

5. That all physicians practicing medicine within the corporate limits of said city shall within 12 hours from the service of notice of these regulations upon him, report to the mayor of said city, or to the clerk thereof, all existing cases of colds, grippe, la grippe, influenza, Spanish influenza, pneumonia, and all similar diseases or ailments within the knowledge as such physicians.

6. That all physicians practicing medicine within the corporate limits of said city and all other persons residing therein shall report any and all of the above mentioned cases to said mayor or clerk within 12 hours from the time any such cases come to their knowledge.

7. It is also made the duty of all undertakers to report each day to the local board of health all cases of death from the disease known as Spanish influenza, and also from pneumonia, said report to be made on or before 10 o'clock a. m. of each day.

8. That all houses where any of the above-mentioned ailments exist shall be placarded with the regulation warning sign as provided for by the State board of health.

9. That all persons are hereby requested to observe the placards placed upon the residences where cases of influenza exist and to keep out of such residences, and that all persons coming from residences in which some one is sick with the influenza be requested to refrain from going to the houses of others and to mingle with other people as little as possible during the existence of the present epidemic.

10. That from the publication of these resolutions and until modifications thereof by this board of health all children under the age of 18 years residing within the corporate limits of said city shall, while not engaged in labor or upon errands, remain at their respective places of residence, unless accompanied by their parents.

11. It shall be the duty of all the local health authorities, the health physician, the members of the police department, and all peace officers to cooperate in every way in securing compliance with the foregoing rules, and this board calls upon and appeals to all good citizens of the city to give their ready acquiescence to what the board believes to be an absolutely necessary restric-



tion in order that the health and lives of the people may be fully protected and preserved.

12. That these resolutions shall be in full force and effect from and after their passage for a period of ten days.

### **BOSTON, MASS.**

#### **Influenza—Burial. (Order H. Com., Oct. 6, 1919.)**

Hereafter, each permit for the burial of the dead body of a person who has died from influenza will contain requirements that the body be kept in a tightly closed casket and that the funeral be private.

### **BRIDGEPORT, CONN.**

#### **Pupils Affected with Disease or Uncleanliness—Medical or Sanitary Treatment. (Reg. Bd. of H. Com., Nov. 13, 1917.)**

SECTION 1. Whenever it shall be found by the health officer or a subordinate appointed by him that any child in attendance at a public or at any private or parochial school is suffering from or is afflicted with any disease, physical disorder, or condition of offensive uncleanliness, it shall be the duty of said health officer, or subordinate appointed by him, to cause a notice to be served upon the parent or guardian of such child, stating the nature of such disease, disorder, or condition of uncleanliness, and directing that proper medical or sanitary treatment be given to such child.

SEC. 2. If the parent or guardian of such child, after receiving such notice, shall wilfully fail, neglect, or refuse to procure for such child such medical or other treatment as may be required to cure such disease, disorder, or offensive condition, such parent or guardian, upon conviction, shall pay a fine not exceeding \$100.

### **BROOKLINE, MASS.**

#### **Tuberculosis—Handling of Food or Food Utensils by Infected Persons. (Reg. Bd. of H., Apr. 9, 1917.)**

To amend article 1 by adding the following section:

SEC. 4c. No person having tuberculosis in a communicable form shall be allowed to handle food or utensils used in the preparation or serving of food, except such food or utensils as are for his or her exclusive use.

### **BUFFALO, N. Y.**

#### **Communicable Diseases—Prevention and Control—Carriers—Hospitalization—Nose and Throat Cultures from Certain Persons. (Ord. Feb. 13, 1919.)**

That chapter 25 of the ordinances of the city of Buffalo be, and the same hereby is, amended by adding thereto a new section to be known as section 11-a, to read as follows:

SEC. 11-a. (a) Whenever a communicable disease is prevalent or exists in any school, factory, hotel, lodging house, tenement house, or in any other place, and the health commissioner has reasonable grounds to believe that any person who has been in attendance at, or employed in, any such place has contracted said disease from, or been exposed to, a convalescent carrier, or a contact carrier of said disease, or if there is a reasonable probability that said

disease may have been so contracted, the health commissioner is hereby authorized to take all necessary means to ascertain and identify, so far as is possible, what person or persons, if any, is such a carrier.

(b) The health commissioner is hereby authorized to quarantine or remove to an appropriate hospital, any person suffering from a communicable disease, or who has been exposed to such disease, or who is a convalescent carrier, or a contact carrier of said disease, whenever in his judgment such action is necessary for the preservation of the public health; and it shall be the duty of every such person to comply with the regulations and orders of the health commissioner in reference to such quarantine or removal to a hospital.

(c) For the purpose of carrying the intent of this section into effect, the health commissioner is hereby authorized to take one or more cultures from the nose or throat, or both, of any or every person in any manner connected with any school, factory, hotel, lodging house, tenement house, or other place where such communicable disease exists or is prevalent, or from any other person with whom, at any time within 60 days prior to his developing said disease, the person afflicted has been associated or in contact, or from any other person who, at any time during the 60 days next preceding, has been exposed to or come in contact with a convalescent carrier or a contact carrier of said disease.

(d) It shall be the duty of every person from whose nose or throat, or both, the health commissioner is authorized to take a culture or cultures, for the purposes aforesaid, to permit the taking of such culture or cultures, and to cooperate with him for the purpose of ascertaining whether such person is or is not a carrier of said disease.

(e) Unless otherwise mutually agreed upon, all such cultures for examination by the health authorities shall be taken by the health commissioner or his representative, who shall be a person duly licensed to practice medicine and surgery in the State of New York.

(f) Any person who is herein required to permit a culture or cultures to be taken from the nose or throat, or both, who shall refuse to allow the taking of same, is guilty of a violation of this section, and in addition to the fine or penalty therefor, hereinafter provided, may be prohibited by the health commissioner from frequenting any school, factory, hotel, lodging house, tenement house or public place, during such time as in his judgment the preservation of the public health requires. Such prohibition shall be made by the service of a written notice to that effect upon the person so refusing to allow such culture or cultures to be taken. Any person who shall violate any order, rule, or regulation of the health commissioner contained in any such notice is guilty of a violation of this section.

(g) Any person, firm, or corporation having charge or general supervision of any school, factory, hotel, lodging house, tenement house, or public place, who or which shall knowingly permit the attendance at any school, factory, hotel, lodging house, tenement house, or public place of any person, contrary to the provisions of any such notice so served by the health commissioner, shall be guilty of a violation of this section.

(h) Any person, firm, or corporation violating any of the provisions of this section shall be liable to a fine or penalty of not more than \$250 for each and every violation.

**Smallpox—Vaccination May Be Required. (Ord. amended Nov. 30, 1917.)**

SEC. 28. It shall be the duty of all persons within the city of Buffalo who have not been vaccinated to submit to vaccination, and all parents and guard-

ians of minor children who have not been vaccinated within said city shall cause such children to submit to vaccination when in the interest of public health it may be deemed necessary by the health commissioner. It shall be the duty of the health commissioner and any city physician to vaccinate any person within said city who shall desire him to do so free of expense.

The health commissioner is authorized and empowered to cause to be vaccinated forthwith every inmate of a household in which a case of smallpox occurs.

He is also authorized and empowered to cause to be vaccinated forthwith every person whom he has reasonable grounds to believe has been in contact with or exposed to a person having smallpox, or the excretions or secretions of such a person, or a carrier of smallpox.

### CHICAGO, ILL.

#### Food Poisoning or Infection—Notification of Cases. (Ord. Jan. 11, 1917.)

SECTION 1. That the Chicago Code of 1911 be and the same is hereby amended by adding to article 20, chapter 38, the following section:

SEC. 1364a. *Food poisoning; cases to be reported.*—It shall be the duty of every physician who attends or prescribes for, and of every superintendent or person in charge of any hospital admitting or caring for any person suffering from or suspected of suffering from food poisoning or infection, or any form of such poisoning or infection, either ptomaine, bacterial, or metallic, to at once make a report thereof by telephone to the commissioner of health, and to follow same by a report in writing, giving the name and address of the person thus afflicted, the nature of the poisoning or infection, and the source or probable source of the same.

### CINCINNATI, OHIO.

#### Communicable Diseases—Attendance at Schools and Public Gatherings. (Ord. Dec. 11, 1918.)

SECTION 1. That section 936 of the code of ordinances of the city of Cincinnati be and the same is hereby amended, and section 936 as amended is hereby supplemented by ordaining sections 936-1 and 936-2; said amended and supplementary sections to read as follows:

SEC. 936. It shall be unlawful for any person or persons infected with or exposed to infection of influenza, infantile paralysis, cerebrospinal meningitis, measles, chicken pox, smallpox, whooping cough, cholera, scarlet fever, diphtheria, or any other communicable disease, to attend any public or parochial or private school, dance hall, public place of amusement, theater, motion-picture exhibition, lecture, or any other public or semipublic gathering of people.

SEC. 936-1. It shall be unlawful for the parents, guardians, or any other person having the charge, custody, or control of any child or children infected with or exposed to infection of influenza, infantile paralysis, cerebrospinal meningitis, measles, chicken pox, smallpox, whooping cough, cholera, scarlet fever, diphtheria, or any other communicable disease, to permit or allow such child or children to attend any public or parochial or private school, dance hall, public place of amusement, theater, motion-picture exhibition, lecture, or any other public or semipublic gathering of people.

SEC. 936-2. Any person who knowingly violates any of the provisions of the two preceding sections shall be deemed guilty of a misdemeanor, and, upon con-

viction thereof, shall be fined in any sum not less than \$10 nor more than \$100 and the costs of prosecution.

SEC. 2. That said original section 936 of the code of ordinances of the city of Cincinnati be and the same is hereby repealed.

#### **COLORADO SPRINGS, COLO.**

##### **Communicable Diseases—Period of Quarantine May Be Lessened to Equal That Required by State Board of Health Regulations. (Ord. Apr. 30, 1919.)**

SECTION 1. In any case in which the city ordinance fixes the period of time during which quarantine shall be established and maintained, and such period exceeds the time fixed by the rules and regulations then in effect of the State Board of Health of the State of Colorado, the health officer of this city may lessen such period of time to a period of time not less than the period fixed by the rules and regulations of said State board of health.

#### **COLUMBUS, OHIO.**

##### **Influenza—Measures for Prevention of Spread. (Reg. Bd. of H., Oct. 12, 1918.)**

That by reason of the prevalence of influenza there is a threatened epidemic, and in order to prevent and control the spread of said disease, the following rules and regulations, as recommended by the State board of health, are hereby adopted:

1. All public, private, parochial schools, universities, colleges, church Sunday schools, and similar institutions shall be closed.
2. All theaters, moving picture houses and indoor places of amusement shall be closed.
3. All public and private dances in halls and hotels are prohibited.
4. All loitering about saloons; pool and billiard rooms is prohibited.
5. All street cars, factories, offices, dining rooms, and other public places which must be occupied shall be given the greatest amount of ventilation.
6. Any violation of the foregoing rules and regulations shall be punishable by a fine not exceeding \$100.
7. These rules and regulations shall take effect and be in force from and after their adoption.
8. Nothing in these orders shall in any way interfere with Red Cross work or necessary war activities.
9. The mayor is requested to aid in the enforcement of these orders.

#### **CUMBERLAND, MD.**

##### **Smallpox—Pupils Required to Be Vaccinated or Have Had Smallpox. (Reg. Bd. of H., Dec. 3, 1917.)**

All principals, superintendents, teachers, or other persons in charge of public, private, parochial, or other schools within the city of Cumberland are hereby required to refuse admission to any child to the schools under their charge or supervision except upon a certificate signed by a physician or the health officer setting forth that such child has been successfully vaccinated or that it has previously had smallpox.

## DAYTON, OHIO.

**Rabies—Prevention—Dogs May Be Muzzled, Confined, or Quarantined by Order of Health Commissioner. (Ord. 10964, Sept. 3, 1919.)**

SECTION 1. The said division of health be and is hereby empowered, whenever in the opinion of the commissioner of health it is necessary or advisable and in the interests of the public health, to make a general order directing and requiring owners of dogs within the city of Dayton to muzzle the same or to confine or quarantine them for such time and in such manner as the commissioner of health shall deem and consider to be advisable or necessary for the preservation of the public health.

SEC. 2. Whenever said commissioner of health shall deem it to be necessary or advisable in the interest of the public health to cause the dogs of the city of Dayton to be muzzled, confined, or quarantined he shall publish a general notice thereof once in at least two newspapers of the city of Dayton directing and requiring all owners of dogs to cause such dogs to be muzzled, confined, or quarantined, whichever in his judgment may be necessary or advisable; or in a case where he considers any dog to be dangerous to the community he may, by special written notice to the owner thereof, cause such dog to be muzzled, confined, quarantined, or destroyed.

SEC. 3. Whenever the commissioner of health shall cause such general notice to be given to the owners of dogs within the city of Dayton, or a special written notice to any owner of a dog within the city of Dayton, requiring the same to be muzzled, confined, quarantined, or destroyed it shall be the duty of said owner or owners to comply with the same at once in the manner specified by said commissioner in the notice referred to. Upon failure of such owner or owners to comply with said order said dog or dogs may be taken possession of by the division of health and may be either impounded at the expense of said owner or owners or destroyed if in the judgment of the commissioner of health it is in the interest of the public health that destruction shall occur, and in addition thereto said owner or owners shall be guilty of a misdemeanor, punishable upon conviction thereof with a fine of not less than \$10 nor more than \$25, and each day that said owner or owners fail to comply with the order made by the commissioner of health shall constitute a separate offense.

## DES MOINES, IOWA.

**Smallpox—Vaccination of Pupils. (Ord. Aug. 28, 1918.)**

[The following ordinance was adopted under the title of "An ordinance requiring the vaccination of school children and providing for rules, regulations, and penalties for its violation." An Iowa law provided that "no ordinance shall contain more than one subject, which shall be clearly expressed in its title; \* \* \*." The Supreme Court of Iowa held that the title above quoted not only failed to clearly express the subject of the ordinance but was inconsistent therewith, and that the ordinance was invalid because of non-compliance with the statute.]

SECTION 1. It shall be unlawful for any teacher or person in charge of any of the public or private schools of the city to admit therein any pupil until such pupil shall have proved to the satisfaction of the local board of health, or the person selected by it for that purpose, that such pupil has been successfully vaccinated within five years prior thereto, or within such time as the local board of health may designate.



SEC. 2. It shall be the duty of the officers of the local board of health to promulgate the necessary rules and regulations in harmony with the provisions of this ordinance, and consent is hereby given to the local board of health, and its officers, and they are hereby required to serve notice upon the teachers and other persons in charge of the public and private schools of the city requiring them to prohibit the admission therein of any pupil who has not been vaccinated or who refuses to make the showing required by this ordinance.

SEC. 3. It is hereby made the duty of the teachers and other persons in charge of the public and private schools of the city, as well as the officers of the local board of health, to carry out and enforce the provisions of this ordinance.

SEC. 4. Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not more than \$100, or be committed to jail for a period not exceeding 30 days.

**Smallpox—Vaccination of Pupils, Teachers, and School Janitors. (Reg. Bd. of H., Sept. 5, 1918.)**

1. On and after October 15, 1918, no pupil, teacher, or school janitor shall be admitted into any of the public or private schools of the city of Des Moines unless such pupil, teacher, or school janitor shall first have proven to the satisfaction of the local board of health, or the person selected by it for that purpose, that such pupil, teacher, or school janitor has been vaccinated within five years prior thereto, or unless such pupil, teacher, or school janitor come within the following exceptions:

(a) Those presenting a certificate from a physician, local board of health, or sworn statement approved by the local board of health of the city of Des Moines that they have had smallpox.

(b) Those having been successfully vaccinated within the past seven years and showing a good scar (certificate will not be required from this group of cases).

(c) Those presenting certificate based on three successive vaccinations without a take, such certificates, however, to be sufficient only for the current semester. Vaccination of all such will be required before entering succeeding semesters.

2. It is hereby made the duty of all teachers and school authorities to cooperate and aid the local board of health in the enforcement of these rules and regulations.

**DETROIT, MICH.**

**Poliomyelitis—Notification of Cases—Incubation Period—Quarantine—Isolation—Placarding—Precautions in Care of Patients—Renovation—Return to City of Infected Persons and Exposed Children. (Reg. Bd. of H., July 18, 1917.)**

*Reporting.*—Cases must be reported to the registrar at the board of health office.

*Incubation period.*—The incubation period of the disease and the quarantine period of children under 16 years of age who have been, but no longer are, exposed to infection has been set at 14 days.

*Quarantine.*—In all families where a case of poliomyelitis has occurred, all the children under 16 years of age (except those who have had the disease) shall be detained in the home until two weeks after the termination of the

case by death, removal, or recovery. The patient, whether at the home or in the hospital, shall be quarantined for four weeks from the date of the onset of the disease. No case in a hospital shall be returned home until the quarantine is ended.

If a patient is isolated at home, adults of the household may continue their vocations, providing this does not bring them into continued or intimate contact with children under 16 years of age, and providing they are not engaged in the preparation or handling of food.

Adults excluded from their regular occupations, provided they remove to and remain at a different place of residence and are well at the expiration of two weeks from the date of their last contact with the patient may resume their usual occupations.

Cases occurring in rooms connected with stores are either removed to a hospital or the store is closed and kept under surveillance by the police until the case is terminated.

In case of death, no persons except those belonging to the immediate family are allowed at the funeral services.

*Placards.*—All premises where a case of poliomyelitis occurs shall be placarded, the only exception being hotels and boarding houses, providing the patient is at once removed to the hospital, the room or rooms immediately disinfected and no quarantined (detained) children remain upon the premises.

*Removal to hospital.*—No case shall be left at home unless the following conditions are complied with:

- (1) There must be a physician in daily attendance.
- (2) The patient must have a special trained attendant who must obey quarantine regulations and must not do any housework, marketing, or perform any household duty for any other members of the family.
- (3) The patient and attendant must have a room or rooms separate from the rooms of the others in the family.
- (4) All windows of the room must be screened and all flies and other insects in the room killed. Cats, dogs, and other animals must be excluded from the sick room.
- (5) The family must have a separate toilet for its exclusive use.
- (6) The room used by the patient must be as nearly free from furniture as possible; toys and books used by the sick person must be destroyed after recovery or death. The sick room must be well aired several times daily; the floor mopped and the woodwork frequently wiped with damp cloths. As the dust of the sick room is considered to be particularly dangerous, under no circumstances must the floor be swept when it is dry. It should be sprinkled with sawdust, bits of newspapers, or tea leaves, all thoroughly moistened and then carefully swept so that no dust may arise.
- (7) All discharges from the nose and throat of the patient and all articles soiled therewith shall be promptly disinfected by immersing in a 2 per cent solution of carbolic acid. This solution is prepared by dissolving 3 ounces of pure carbolic acid in 1 gallon of hot water. Discharges from the bowels should be disinfected by chloride of lime. Attendants shall wash their hands with soap and hot water promptly after handling such discharges or articles.
- (8) All cloths, bed linen, and personal clothing which has come into contact in any way with the sick person should immediately be immersed in the carbolic solution before removal from the room. These should be soaked two or three hours and then may be removed from the room and boiled in water or soap suds for one-quarter of an hour.
- (9) Surfaces of any kind soiled with the discharges should be immediately washed with the carbolic solution.

(10) After making applications to the throat and nose of the patient, and before eating, the hands of the attendant should be thoroughly disinfected by washing them in the carbolic solution and then in hot soap suds.

(11) After the termination of the case, the entire body of the patient should be bathed and the hair washed with hot soap suds. The patient should be dressed in clean clothes (which have not been in the sick room during the illness) and removed from the room.

(12) The attendant should also take a bath and put on clean clothes before mingling with the family or other people.

*Requirements for physicians and nurses.*—Physicians and nurses, unless special covering (gowns and gloves) be worn, must use every precaution to avoid being soiled by discharges and by droplet infection from the patient, and their hands must be thoroughly cleansed with soap and hot water before leaving the premises.

*Terminal renovation or disinfection.*—After removal, recovery, or death of the patient complete renovation of the room or rooms occupied by the patient and attendant is required, and after the recovery of the patient isolation shall be terminated.

*Return of cases to Detroit.*—Cases of poliomyelitis occurring in residents of Detroit who are temporarily residing outside of the city, and developing within two weeks of the time of leaving the city, will be permitted to return provided (a) a private conveyance (private car, private automobile, or ambulance) is used and (b) the patient goes direct to the municipal hospital.

*Return of children who have been exposed to infantile paralysis to Detroit.*—Children under 16 years of age outside of Detroit who have been exposed to infection with poliomyelitis within two weeks may return to the city under the following conditions:

(a) They must come by private conveyance and must go direct to their homes.

(b) Advance notice must be sent and authorization obtained by telephone by the local health officer. Such notice must give the name and age of each child, together with the identified address and the latest date of exposure to infection, and must be followed immediately by a written notice.

(c) Such children will be promptly visited at their homes by a board of health nurse and instructed as to the nature and duration of quarantine (detention). They must not leave the premises until two weeks have elapsed from the date of last exposure to infection.

(d) The premises will not be placarded, but the children will be visited at regular intervals and should quarantine (detention) be violated the parents or guardians will be summoned to court.

## DULUTH, MINN.

### Influenza—Measures for Prevention of Spread. (Ord. 1129, Oct. 11, 1918.)

SECTION 1. That as an emergency measure for the immediate preservation of public health and safety all schools, Sunday schools, churches, theaters, and all places of public and private recreation and amusement are ordered closed.

SEC. 2. All meetings, assemblies, and gatherings of every kind, nature, and description, whether public or private, are hereby prohibited.

SEC. 3. Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$100 or by imprisonment in the county jail or at the county work farm not exceeding 85 days or both.

**ELGIN, ILL.****Smallpox—Unvaccinated Pupils Not to Be Admitted to or Retained in Schools When Smallpox Exists. (Ord. Dec. 18, 1918.)**

SECTION 1. Whenever smallpox exists in the city of Elgin, and there is reason to apprehend its spread, no child shall be admitted, received, or retained in any public or private school in such city who can not furnish the proper school authorities a physician's certificate to the effect that such child has previously had smallpox or is protected against smallpox by a recent successful external vaccination. It shall be the duty of all school authorities to obey and enforce the provisions of this ordinance.

SEC. 2. Any person who shall violate any of the provisions of this ordinance or who shall interfere with their execution or who shall neglect or refuse to obey them shall be punished by a fine not to exceed \$200 or by imprisonment not exceeding six months, or both such fine and imprisonment.

**FALL RIVER, MASS.****Communicable Diseases—Hospitalization. (Reg. Bd. of H., Nov. 27, 1917.)**

No persons ill with a contagious disease will be permitted to be cared for at home unless conditions are such as, in the opinion of the board of health, to promote recovery of the patient and not be a menace of contagion to others.

Whenever so ordered by the agent of the board, the family shall arrange for the removal of the patient to any hospital approved by the board, and in case of refusal or neglect to do so, the patient will be taken to the proper department of the city hospital by the board of health.

**Measles—School Attendance of Exposed Children. (Reg. Bd. of H., Feb. 13, 1917.)**

Whenever a child exposed to infection from measles has been immunized by a previous attack of the disease, permission will be given such child to attend school upon presentation to the board of health of a certificate by a physician of such previous attack.

**GREEN BAY, WIS.****Influenza—Notification of Cases—Quarantine—Placarding. (Ord. Dec. 3, 1918.)**

SECTION 1. Influenza is hereby declared to be a dangerous, infectious and contagious disease.

SEC. 2. In case any person in the city of Green Bay shall have, be ill with, or be infected with influenza, the house, home, or building, and the premises on which the same is situated, in which said ill or infected person is or may be, shall be quarantined by the health commissioner of the city of Green Bay, excepting such commissioner may quarantine such smaller portion of such building or premises as he may deem proper.

SEC. 3. That on any home or building so quarantined, the health commissioner or one of his assistants shall at once post a sign or placard with the word "influenza" thereon, which shall not be taken down until the health commissioner shall so order.

SEC. 4. That any quarantine instituted by the health commissioner as above provided shall continue during the prevalence of such disease in such building

or house, and until the same shall be properly cleansed and fumigated, and until the health commissioner shall discontinue such quarantine.

SEC. 5. That in any home, building, or premises quarantined as above provided, no person excepting the attending physician, clergyman, legal adviser, or such other person as shall be permitted by the health officer, shall be allowed ingress thereto or egress therefrom, excepting a nurse who may enter and leave said home on the written permit of the health commissioner.

SEC. 6. That each and every physician in the city of Green Bay shall report to the health commissioner of the city of Green Bay each case of influenza within 12 hours after he has been called to attend the same.

SEC. 7. Any person or persons violating any provision of this ordinance shall on conviction be fined in a sum not to exceed \$100 for each and every offense, or shall be imprisoned in Brown County jail for not more than three months.

### HIGHLAND PARK, MICH.

#### **Tuberculosis—Notification of Cases—Removal of Infected Persons—Cleaning and Disinfection of Premises Vacated by Infected Persons—Records Not to be Divulged. (Ord. 311, Aug. 19, 1918.)**

SECTION 1. Whenever any person residing in the city of Highland Park shall have the disease known as tuberculosis, he shall at once report his condition to the health officer of said city. Such report may be made either in person or in writing, and if in writing shall give his name, nativity, age, sex, color, occupation, place of present and last employment, present and last residence address, and the term of residence at the present address.

SEC. 2. Whenever any householder, hotel keeper, or keeper of a boarding house, lodging, or rooming house in the city of Highland Park shall have reason to believe that any such person in his family, hotel, boarding, lodging, or rooming house, or premises, has tuberculosis, he shall immediately give notice in person or in writing thereof to the health officer of the city. Said notice, if in writing, shall state the name of the person having tuberculosis, the name of the person giving notice, and shall, by street and number or otherwise, sufficiently designate the house, place, or room in which the person having tuberculosis resides.

SEC. 3. Every person having tuberculosis, before changing his place of residence, whether by moving to a place within or without the city of Highland Park, shall notify the health officer at least three days prior to such change of address. Such notice shall give the new address. Upon receipt of such notice, the health officer, or one of his assistants, shall visit the room or premises occupied by such person within 24 hours after the same shall have been vacated and shall, at the public expense, disinfect, cleanse, or renovate the same, in accordance with the methods indorsed and recommended by the State board of health.

SEC. 4. In case of the vacating of any apartment or premises by a person having tuberculosis, it shall be the duty of the owner, lessee, occupant, or other person, having charge of the said apartments or premises, if he has been notified that such person has tuberculosis, to at once notify the health officer of the city, and he shall not rent or allow said apartments or premises to be occupied until duly disinfected, cleansed, or renovated by the health officer or his assistant as herein provided.

SEC. 5. It shall be the duty of the health officer to cause all reports made in accordance with the provisions of this ordinance to be recorded in a register



of which he shall be the custodian. Such register shall not be open to inspection by any person other than the health authorities of the State, and of the cities, villages, and townships of the State. And said health authorities shall not permit any such report or record to be divulged so as to disclose the identity of the person to whom it relates except as may be necessary to carry into effect the provisions of this ordinance.

SEC. 6. Any violation of this ordinance shall be punished by a fine not to exceed \$50 and costs of prosecution; and the court may provide that in default of the payment thereof the offender shall be imprisoned not to exceed 90 days, unless such fine and costs shall be sooner paid.

### INDIANAPOLIS, IND.

#### **Smallpox—Powers and Duties of Board of Health in Case of an Actual or Threatened Epidemic—Vaccination of Population. (Ord. 10, 1918.)**

SECTION 1. Whenever there is an epidemic of the disease of smallpox, or whenever, in the judgment of the board of health of the city of Indianapolis, there is danger of an epidemic of said disease of smallpox in said city, by reason of one or more persons then having said disease within said city, it shall be the duty of the board of health of said city to take measures and to do and order, and cause to be done, such acts for the preservation and protection of the public health and safety as said board may in good faith declare the public health and safety to demand, to prevent the prevalence or spread among the inhabitants of said city of the disease of smallpox; upon discovery by said board of such epidemic or threatened epidemic, it shall immediately publish such fact in a morning and evening paper published in said city.

SEC. 2. Immediately upon the publication as provided in section 1 hereof, each and every inhabitant of the city of Indianapolis of and over the age of 6 years who has not had the disease of smallpox or varioloid, or been successfully vaccinated against smallpox, shall submit himself to said board of health or to some regularly licensed resident physician of said city for vaccination against smallpox, and shall by said board, or said physician, be so vaccinated; if such person be a minor it shall be the duty of the parents or guardian to have said minor child comply with the provisions of this ordinance. The parents or guardians of such persons, if they be minors, or the individual, if an adult, upon conviction for violation of any of the provisions of this ordinance shall be liable to a fine of not less than \$5 nor more than \$25, and shall also be liable to a like fine for every 10 days thereafter they delay having the operation of vaccination performed. It shall be the duty of the board of health to provide suitable measures for vaccinating any and all persons who may not be able to pay for the performance of said operation, and to issue and publish instructions in regard to the proper manner for vaccinating: *Provided*, That nothing in said rules, regulations, or orders of said board of health or in this ordinance shall be interpreted to apply to any person whose condition of health is such that the operation of said vaccination would be detrimental to the health of such person: *And provided further*, That such condition of health of such person shall be certified to said board of health by some regularly, duly licensed, resident physician or by said board of health.

## ITHACA, N. Y.

**Whooping Cough—Wearing of Yellow Arm Band by Infected Persons. (Reg. Bd. of H., Dec. 11, 1917.)**

All persons afflicted with whooping cough shall be required to wear a bright yellow band when off their own premises, at least 2 inches wide upon the right sleeve of the outer garment until 10 days after they have ceased to whoop.

All such bands so required shall be furnished by the board of health upon application.

## JACKSONVILLE, FLA.

**Diseases Dangerous to Public Health—Authority Given to City Commission to Prevent Spread. (Ord. 60, Oct. 7, 1918.)**

SECTION 1. When any disease dangerous to the public health of the city of Jacksonville exists, in order to prevent the spread of such disease the city commission of the city of Jacksonville shall be authorized to prohibit the assembling of persons or crowds upon any street, thoroughfare, park, or other public place in said city, and to close any church, school, theater, ice-cream parlor, cigar stand, or other place where persons are calculated to assemble in said city, and to make any and all regulations that may be necessary to prevent the spread of such disease.

SEC. 2. That the city commission shall be authorized in its discretion to require the closing of any church, school, theater, store, or building in said city for such time and under such conditions as in its judgment may be required to prevent the spread of any disease dangerous to the public health.

SEC. 3. That the city commission is hereby authorized to call upon the mayor of the said city to enforce, with the police, any order that it may make under and in pursuance of this ordinance.

SEC. 4. Any person convicted in the municipal court of obstructing or attempting to obstruct the city commission of the city of Jacksonville in the enforcement of this ordinance or any order made by the city commission in pursuance hereof shall be punished by fine not exceeding \$100 or by imprisonment not to exceed 30 days.

## KANSAS CITY, MO.

**Communicable Diseases—Notification of Cases. (Ord. Sept. 17, 1917.)**

SECTION 1. That if a physician knows that a person whom he is called to visit is infected with smallpox, diphtheria, scarlet fever, actinomycosis, anterior poliomyelitis, anthrax, Asiatic cholera, cerebrospinal meningitis, chicken pox, dog bite requiring antirabic treatment, glanders, infectious diseases of the eye, (a) ophthalmia neonatorum, (b) suppurative conjunctivitis, (c) trachoma, leprosy, malaria, measles, mumps, pellagra, pneumonia, plague, rabies, septic sore throat, tetanus, trichinosis, tuberculosis (all forms), typhoid fever, typhus fever, whooping cough, and yellow fever, or if one or both eyes of an infant who or whose mother he is called to visit become inflamed, swollen, and red, and show an unnatural discharge within two weeks after the birth of such infant, he shall immediately give notice thereof in writing over his own signature to the hospital and health board of Kansas City; and if he refuses or neglects to give such notice he shall be deemed guilty of a misdemeanor, and on conviction shall be fined not less than \$50 or more than \$200 for each offense.

**Smallpox—Quarantine—Isolation—Vaccination of Exposed Persons. (Ord. Jan. 29, 1918.)**

SECTION 1. *Right to quarantine.*—That the hospital and health board is hereby given the right and power to quarantine or isolate in some proper place, either private or public, any person or persons found to be infected with smallpox within the limits of Kansas City, Mo., until such time as in the judgment of the health commissioner said person or persons are no longer a menace to the public by reason of having had said disease.

SEC. 2. *Right to vaccinate.*—That said board is hereby given the right and power to vaccinate or cause to be vaccinated by competent and skillful physicians any person or persons who have been in contact with or close proximity to a person afflicted with the disease of smallpox: *Provided, however,* That in lieu of being vaccinated such person shall have the right to submit to isolation or quarantine in some proper place under the direction of said board, upon condition that said person or persons so electing to be quarantined or isolated shall pay the costs thereof.

SEC. 3. *Penalty.*—Any person violating or neglecting or refusing to comply with any regulation, requirement, or provision of this ordinance shall be deemed guilty of a misdemeanor, and on conviction thereof be fined in the sum of not more than \$100 for each and every such offense.

**LOS ANGELES, CALIF.****Influenza—Prevention of Spread—Closing of Certain Places. (Ord. 38522, Oct. 11, 1918.)**

SECTION 1. It shall be unlawful for any person, firm, or corporation to keep open, or to cause or permit to be kept open, for the purpose of permitting the public to congregate therein, any theater, motion-picture theater, concert hall, show, or amusement place, church, school, dance hall, fair, exhibition, and in addition thereto, any place of public resort in which, in the opinion of the health commissioner it is dangerous to the public health for persons to congregate, until such time as the health commissioner shall have filed with the council of the city of Los Angeles a report stating that in his judgment the danger to be apprehended from the spread of the epidemic of influenza no longer exists.

When, in the opinion of the health commissioner, it is dangerous to the public health for persons to congregate in any place or places not specifically mentioned herein, the health commissioner shall give notice thereof in the public press or by the posting of notices. Such notice may be directed to specific meetings or may be by proper description directed to meetings in general.

SEC. 2. It shall be unlawful for any persons to meet or gather together in any of the places enumerated or referred to in section 1 of this ordinance prior to the filing of the report of the health commissioner as herein provided.

SEC. 3. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than \$500 or by imprisonment in the city jail for a period of not more than six months or by both such fine and imprisonment.

**LOUISVILLE, KY.****Communicable Diseases and Industrial Diseases—Notification of Cases. (Ord. Oct. 6, 1917.)**

SECTION 1. It shall be the duty of every physician in the city of Louisville to report to the health department, in writing, the full name, age, and address

of any person under his professional care who is afflicted with any one of the diseases in the following list, with the name of the disease, within 24 hours after the time it is diagnosed, and it shall be the duty of the manager or managers, superintendents, or persons in charge of every hospital, institution, or dispensary in the city of Louisville to make a similar report to the said health department within the same period relative to any person afflicted with any one of the said diseases, stating in each instance the name of the disease:

Acute anterior poliomyelitis (infantile paralysis).	Pneumonia.
Asiatic cholera.	Plague.
Diphtheria (croup).	Pulmonary tuberculosis.
Dysentery (amebic and bacillary).	Rabies in man, dog, or cattle.
Continued fever lasting seven days.	Scarlet fever.
Epidemic cerebrospinal meningitis.	Epidemic septic sore throat.
Glanders.	Smallpox.
Suppurative conjunctivitis.	Tetanus.
Ophthalmia neonatorum.	Trachoma.
Hookworm disease.	Trichinosis.
Leprosy.	Tuberculosis (all forms, specifying parts affected).
Malarial fever.	Typhoid fever.
Measles.	Typhus fever.
German measles.	Varicella.
Mumps.	Whooping cough.
Paratyphoid fever.	Yellow fever.
Pellagra.	

#### OCCUPATIONAL DISEASES AND INJURIES.

Arsenic poisoning.	Phosphorus poisoning.
Brass poisoning.	Wood alcohol poisoning.
Carbon monoxide poisoning.	Naphtha poisoning.
Lead poisoning.	Carbon bisulphide poisoning.
Mercury poisoning.	Nitrobenzene poisoning.
Caisson disease (compressed air illness).	

Any other disease or disability contracted as a result of the nature of the person's employment.

SEC. 2. If the disease reported is typhoid fever, scarlet fever, diphtheria or epidemic sore throat, every such report shall also show whether the patient has been, or any member of the household in which the patient resides, is engaged or employed in handling milk, butter, cream, or other dairy products for sale or preliminary to sale.

SEC. 3. Cases of typhus fever, smallpox, or cholera shall be reported immediately to the health office by telephone or messenger, and not later than 24 hours thereafter a written report shall be made to the health officer, giving, in addition to the name of the disease, the name of the patient, age, residence, and other necessary information.

SEC. 4. Any person or persons violating or assisting in the violation of any part or parts of this ordinance shall, upon conviction, be fined not less than \$10 or more than \$50, and each day's continuance of the violation shall constitute a separate offense.

**Typhoid Fever—Bacteriological Examination of Feces and Urine of Convalescent Cases. (Ord. 12, Oct. 6, 1917.)**

SECTION 1. Every physician attending a case of typhoid fever shall at least 10 days after the patient's temperature becomes normal submit specimens of the patient's urine and feces to the health department for bacteriological examination.

SEC. 2. If, in any case, typhoid bacilli are found to be present in such urine or feces the convalescent from whom the specimens were obtained shall not resume his or her occupation without the permission of the health department.

SEC. 3. Any person violating or assisting in the violation of any part or parts of this ordinance shall, upon conviction, be fined not less than \$5 nor more than \$50, and each day's continuance of the violation shall constitute a separate offense.

**McKEESPORT, PA.****Influenza—Measures for Prevention of Spread. (Reg. Dept. of H., Oct. 11, 1918.)**

RULE 1. *Restaurants.*—Proprietors or persons in charge of public eating places are hereby forbidden to use drinking vessels, dishes, spoons, knives, forks, finger bowls, or any other utensils which have not been thoroughly cleansed and boiled after each individual use; and they are also forbidden to furnish, or permit others to furnish or keep, any common drinking vessel for use of their patrons or employees. They are also forbidden to furnish any towels unless said towels be laundered or destroyed or discarded after each individual use. Public or roller towels are forbidden. No person shall be employed or in charge of any public eating house who is suffering from any contagious or communicable disease, including influenza, or who may show any evidence or symptoms of a catarrhal condition such as to cause any discharge from the nose or throat. Proprietors or managers of said public eating places shall keep his or their places in clean and sanitary condition, including the kitchen, furniture, utensils, storerooms, ice boxes, and all appurtenances. They shall prohibit any loitering, loafing, or overcrowding, and shall see that neither patrons nor employees expectorate or spit upon any floors or other exposed surfaces in or about said places of business.

RULE 2. *Ice cream and soft drinks.*—Ice cream and soft drink dispensers are forbidden to serve any ice cream, ices, or soft drinks of any kind unless the same be served in individual containers that shall be destroyed after each service. All spoons or other utensils used in the serving of any of the above shall, after being thoroughly cleansed, be boiled.

RULE 3. *Street cars.*—Overcrowding of street cars is considered to be one of the greatest contributory causes of the spread of influenza. It shall, therefore, be unlawful to permit any street car or other public conveyance to be overcrowded. When the number of persons permitted to ride in any street car or other public conveyance is in excess of 50 per cent of the seating capacity, said street car or other public conveyance shall be considered as being overcrowded and in violation of this rule. The superintendent of said street car or other public conveyance shall post, or cause to be posted, in each said street car or other public conveyance, a placard or other device stating the seating capacity of said street car or other public conveyance, which said seating capacity shall be determined by the department of health of the city of McKeesport, and said placard or other device shall be posted in a conspicuous place in said cars or



conveyances for inspection by officers of the health department of the city of McKeesport.

**RULE 4. *Department stores, etc.***—That managers of retail or wholesale stores, banking houses, or barber shops shall not at any time permit the gathering in their places of business to be a greater number than twice the available clerks or help employed at this time. Said managers shall place, or cause to be placed, a card or other device in a conspicuous place in the various departments of said stores, banking houses, etc., stating the number of available clerks or help in said department, which said cards shall be placed for convenient inspection by officers of the board of health of the city of McKeesport.

**RULE 5. *Coughing and sneezing.***—The most dangerous form of personal contact in the epidemic of influenza is that of coughing and sneezing. Coughing or sneezing, except behind a handkerchief, is as great a sanitary offense as promiscuous spitting, and it shall, therefore, be considered unlawful for any person or persons to cough or sneeze except he or she completely cover the mouth and nose with a handkerchief.

**RULE 6. *Ventilation.***—Ventilation plays a most important part in the spread or control of influenza; therefore, to have a uniform ventilation of all sleeping rooms, persons in charge of homes, boarding or rooming houses, within the limits of the city of McKeesport, shall have, or cause to have, opened all windows to the full extent in each and every room used for sleeping purposes for 3 hours in each 24 hours.

**RULE 7. *Elevators.***—Elevators shall not be permitted to carry a number of persons that shall cause inconvenience or crowding. The department of health of the city of McKeesport at any time has the right to determine the safe and healthful capacity of any elevator and to prevent the carrying of any greater number of passengers than the capacity so determined. The operator shall be held responsible for the observance of this rule.

**RULE 8. *Housing conditions.***—The housing conditions of the city are such as to make it necessary for a strict and systematic inspection of many boarding houses. It is recommended that the keeper or proprietor of each and every rooming or boarding house where four or more persons are housed shall file with the clerk of the board of health of the city of McKeesport, upon the approval of these rules, and upon the first day of each and every month thereafter, a list of the names, nationality, age, and occupation of each and every occupant of said boarding or rooming house.

These rules are hereby made part of the rules and regulations of the health department of the city of McKeesport, and for violation thereof the offender shall be fined before the mayor, police magistrate, or any alderman of the city of McKeesport a fine of from \$2 to \$100, and in default thereof be committed to the Allegheny County Jail for a period not to exceed 30 days.

### MACON, GA.

#### Whooping Cough—Infected Children Under 10 to Wear Yellow Arm Band. (Reg. Bd. of H., Feb. 14, 1917.)

It shall be unlawful for the parent or guardian of any child under 10 years of age, who is suffering from the disease commonly known as whooping cough, to permit any such child to appear in the streets or any other public place, within the corporate limits of the city of Macon, unless such child shall wear, or expose, upon the arm a band of yellow material bearing upon it the words "Macon Health Department, Whooping Cough;" said band to be in a form to be prescribed and supplied by the said board of health, and shall be worn

for a period beginning with the earliest recognition of the disease, and continue until danger of infection is over, but in no event for a less period than six weeks.

That no parent or guardian of any child, under the age of 10 years, suffering from whooping cough, shall permit any such child to board any street car, or other public conveyance, or visit any house other than the house in which such child resides, or any store, school, Sunday school, or building of public assembly.

#### MARINETTE, WIS.

#### Influenza—Placarding—Quarantine and Isolation—Preventive Measures. (Reg. Bd. of H., Dec. 16, 1918.)

1. *Theaters.*—All theaters, moving-picture houses, and similar amusement places shall be closed and kept closed.

2. *Public gatherings.*—The holding of dances, public meetings, gatherings, and celebrations and sessions of lodges, societies, or similar organizations is prohibited.

3. *Schools.*—The public schools having been, by order of the board of education, closed until January 6, 1919, the same, together with continuation, industrial, parochial and all other schools, shall be and remain closed until further notice by the undersigned.

4. *Churches.*—The holding of church bazaars, sociables, public exercises, and similar gatherings, as well as Sunday school classes, shall be suspended; regular Sunday and Christmas services are permitted, but attendants thereat shall occupy alternate pews under the direction and supervision of the respective pastors; where one service follows another closely, side exits shall be used; all such services shall be limited in time to as short a period as possible consistent, in the discretion of the pastor, with the established rules and customs of the particular church affected and the peculiar needs of the service concerned; and all such attendants shall proceed to and from church directly and at no time gather in groups.

5. *Restaurants, etc.*—All hotels, restaurants, soda fountains, and other places furnishing food or drink shall thoroughly clean and scald all dishes or glasses in boiling water before permitting their use by patrons.

6. *Saloons and pool rooms.*—In saloons, public clubs, or pool rooms no loitering, lounging, congregating, music, card playing, or other entertainment shall be permitted; in all such places all chairs shall be removed and other seating accommodations for patrons barred from use; only such persons shall be permitted to remain in pool or billiard rooms as are actually engaged in such games or are necessarily attending in keeping such places; in all such places serving drinks, no glass shall be furnished for use by a patron unless it has been thoroughly cleaned and scalded in boiling water; the proprietor or manager of any such place shall strictly prevent any crowd from gathering or remaining in his said place of business, either as patrons or as onlookers; the conduct of such places will be under special inspection.

7. *Stores.*—Proprietors and managers of stores and other places of business shall prevent unnecessary congregating, loitering, or crowding therein; patrons in such places shall transact their business therein with all reasonable dispatch and move along without unnecessary visiting or delay; proprietors and managers of such places shall so instruct their clerks and direct their patrons as to prevent the gathering of crowds or groups, thus avoiding contact tending to exposure to contagion.

8. *Street cars, etc.*—The traction company has arranged to provide such service at all times as will render crowding unnecessary; the use of street cars will be limited to one-half of their regular seating capacity, plus one passenger in the front vestibule and three passengers in the rear vestibule; no passenger will be permitted to stand, except in vestibules as above provided; passengers seated will keep a clear space of 2 feet between them; cars filled to capacity, as herein limited, will display signs indicating that fact, and waiting passengers will cooperate with the traction employees by cheerfully waiting for the next car.

Taxicabs and other public vehicles will not carry passengers in excess of one-half of their regular seating capacity.

9. *Children.*—Crowding, loitering, or lounging upon or about the streets or any public places of the city is forbidden; children must not gather in groups and must remain within their own homes or upon their own premises, except when sent upon necessary errands by their parents or guardians; no child under 12 years of age will be permitted on the streets or public places of the city after 7 o'clock in the evening unless actually accompanied by an adult person.

10. *Placarding.*—The city will cause all houses and buildings containing a case of influenza to be placarded; the patient shall be segregated from other members of the household and no person attending such patient shall leave the premises until the case shall be discharged by the attending physician; and no person except the wage earner in a home afflicted with influenza, or one engaged upon a strictly necessary business mission, shall leave the household during the continuance of such case therein and until the same shall be discharged by the attending physician, and in no case before the expiration of four days after the fever shall have subsided. Persons convalescing from influenza or its complications will not return to their work or business for 10 days after the fever shall have subsided, unless sooner discharged by written certificate of the attending physician.

Violation of any of these regulations will subject the offender and the household concerned to the stringent quarantine measures provided by the State laws.

11. *General.*—Every one will keep regular hours, stay away from crowds, get plenty of sleep, breathe fresh air day and night, stay home if he has any indication of a cold, allow no one to cough or sneeze in his face, observe these rules faithfully, and cooperate with the authorities in insisting that all others do likewise.

#### MEMPHIS, TENN.

**Pellagra—Notification of Cases and Deaths—Embraced Under Term "Contagious Disease"—Preventive Measures Same as for Typhoid Fever. (Ord. Apr. 10, 1917.)**

SECTION 1. That hereafter the phrase "contagious disease" as used in the ordinances and regulations of the city governing the board of health, its officers, practicing physicians, and other persons shall be held to include the disease known as pellagra.

SEC. 2. That every physician shall immediately report to the board of health, in person or in writing, any person he may attend or be called to see (within the city limits or 1 mile outside thereof) sick with, or who he has reason to suspect has, pellagra, giving his or her name, color, age, and place of residence. In the absence of a physician, the parent, guardian, employer, or head of the houses where such patient is sick shall make such report. It shall also be the duty of each and every practicing physician in the city to report, in writing, to

the board of health the death of any of his patients who shall have died in said city of pellagra within 24 hours thereafter.

SEC. 3. That the board of health, physicians, and other persons shall take the same precautionary measures to prevent the spread of pellagra that are now required by law with reference to cases of typhoid fever.

#### MINNEAPOLIS, MINN.

##### **Children Having Parasitic Troubles—Restriction. (Reg. Bd. of Public Welfare, Oct. 14, 1919.)**

When children are excluded from employment or from school by reason of parasitic troubles, their parents shall be notified, and such children shall be prohibited from engaging in any work outside of the home, playing with children other than the members of their own family, attending any theater, moving-picture performance or any other assembly of people, riding on a street car, train, or motor bus, or any other association with the general public for such period as they continue to be a menace to their associates.

#### NEW CASTLE, PA.

##### **Influenza—Notification of Cases—Quarantine—Placarding—Attendance at Schools and Public Gatherings—Wearing of Masks. (Ord. Nov. 26, 1918.)**

SECTION 1. That the disease known as Spanish influenza is hereby declared to be an infectious disease, dangerous to health; and it shall be the duty of every physician practicing in said city who shall treat or examine any person suffering from, or infected with, the said disease of Spanish influenza, to forthwith make a report in writing or by telephone to the health officer of the said city, stating the name, age, sex, and color of the person suffering therefrom, together with the street and house number of the premises in which the said person may be located, or otherwise sufficiently designate the same, together with such other information relating to the case as may be required by the health officer of said city.

SEC. 2. When the person affected shall not employ a physician, he, himself, shall make the report to the health officer in the same manner as is required in the preceding section, to be made by an attending physician; if he or she be not able to make the report, then the person or persons with whom he or she lives or resides, or under whose control he or she shall be, shall make the said report to the health officer as required in the preceding section.

SEC. 3. Upon receipt of the notice required by the preceding section, it shall be the duty of the health officer, to post or cause to be posted in a conspicuous place or places upon the premises in, or on which the said disease may be located a placard, upon which shall be printed in conspicuous letters the words: "Spanish Influenza, Stay Out." If there are more than one person suffering with the said disease in the same house or premises, the health officer has the option to quarantine the said premises, in which case he shall also put up a placard having thereon the word: "Quarantined," and when said place is quarantined no person or persons shall enter the said place except the attending physician or nurse except by permission of the health officer; and any person or persons who shall remove, deface, take down, or in any manner interfere with said placard without permission of the health officer, shall be subject to the provisions of this ordinance.

SEC. 4. It shall be unlawful for any person affected with said disease of Spanish influenza to attend any place of amusement, church, school, public

gathering, street car, or any place whatsoever in which persons are congregated or assembled, or in any store or place of business.

SEC. 5. If the person affected is a child, or other person not capable of taking care of himself or herself, it shall be the duty of the parent or parents, guardian, or other person having charge of the said child or other persons not capable of taking care of themselves, to see that the person affected shall not be permitted to go to or attend any place of amusement, church, school, public gathering, street car, or any place whatsoever in which persons are congregated or assembled, or in any store or place of business.

SEC. 6. It shall be unlawful for any person not affected with said disease to enter any room or place where any person is residing, or room [sic], who is affected with the said infectious disease except the physician and nurse unless they wear suitable masks to prevent the incurring of the said disease.

SEC. 7. Any order or direction with reference to any case of Spanish influenza made and directed to be done by the council shall be enforced by the health officer, and the disobedience of the said order shall subject the person offending to the penalties of this ordinance.

SEC. 8. Any person or persons violating any of the provisions of this ordinance shall, upon conviction, be subject to pay a fine or penalty of not less than \$5 nor more than \$100 and costs of suit, and in default of payment of said fine and costs may be committed to the city or county prison not exceeding 30 days.

#### NEW HAVEN, CONN.

#### Communicable Diseases—Notification of Cases—Quarantine—Isolation—Placarding—Hospitalization—Disinfection—Screening. (Ord. Jan. 29, 1917.)

SEC. 869. It shall be and is hereby, made the duty of the board of health to keep currently informed of the communicable diseases throughout the city and to prevent the spread of these diseases.

SEC. 870. The following-named diseases are hereby declared to be dangerous to the public health and made notifiable, and the occurrence of cases shall be reported as herein provided:

##### GROUP I. COMMUNICABLE DISEASES.

Asiatic cholera.	Paratyphoid fever.
Diphtheria.	Poliomyelitis (acute infectious).
Dysentery:	Scarlet fever.
(a) Amebic.	Septic sore throat.
(b) Bacillary.	Smallpox.
Favus.	Tuberculosis (all forms, the organ or
German measles.	part affected in each case to be
Glanders.	specified).
Measles.	Typhoid fever.
Meningitis:	Typhus fever.
(a) Epidemic cerebrospinal	Whooping cough.
Mumps.	Yellow fever.
Ophthalmia neonatorum.	

And venereal diseases as now or may hereafter be provided by the general statutes of the State of Connecticut.

*Provided*, That the board of health may from time to time, or for any period of time, in its discretion declare additional or unusual diseases notifiable and subject to the provisions of this act.



SEC. 871. Every person who treats or examines, for the purpose of diagnosis or treatment, any person suffering or afflicted with any one of the diseases made notifiable by the preceding section shall report such case to the department of health within 12 hours after making a diagnosis that the disease is one that is required to be reported. Said report shall be transmitted either by telephone or in writing and shall give the following information:

1. The date when the report is made.
2. The name of the disease.
3. The time of onset or the duration of the disease.
4. The name and address of the patient.
5. Age, occupation, school attended, or place of employment of the patient.
6. Number of adults and of children in the household.
7. Name and address of the person making the report.

SEC. 872. Every teacher and every person in charge of any public or private school, including Sunday schools, shall report immediately to the department of health each and every case which he or she knows or suspects to be a case of a notifiable disease in persons attending or employed in his or her school.

SEC. 873. Every hospital, asylum, or other public or private institution for the treatment of the sick shall be provided, for display in its office, with a card upon which sections 2, 3, and 4 of this act shall have been printed in type not smaller than 10-point. These cards shall not be less than 12 by 14 inches.

SEC. 874. It shall be the duty of said department of health, through its accredited agents, to maintain such adequate quarantine or isolation of those sick of and those proven carriers of notifiable diseases as shall be sufficient for the protection of public health. *Provided*, That in suspected cases of communicable disease or in suspected carriers of such diseases reasonable quarantine or isolation may be required of any individual or individuals or their premises.

SEC. 875. Said quarantine or isolation shall be officially made by such reasonable rules and notices posted on, or in the premises, or otherwise published, as may be deemed necessary by the department of health to control danger to the public health from each notifiable disease.

Until said quarantine or isolation shall be officially made, no individual other than a wage earner shall be removed from the premises until permission shall be given by the department of health, through its proper agents.

The termination, by recovery or otherwise, of all cases of notifiable diseases shall be reported by the physician, nurse, or other person in charge of the case to said department of health. No case of, or carrier of, such diseases shall be officially released from quarantine or isolation save under the direction of the agents of said department: *Provided*, That in any quarantine or isolation hospital the physician in charge may so release those sick, under the rules and regulations of the department of health, upon notification of the termination of the case to said department.

The requirements of the preceding section shall be applicable to physicians attending patients ill with any of the notifiable diseases in hospitals, asylums, or institutions, public or private; or when no physician is in attendance, by the nurse, midwife, father, mother, or other person in charge of the patient, each in the order named.

SEC. 876. Restrictions made on individual in their relations to the public health shall be officially made and recorded by said department of health; likewise the termination of such restrictions: *Provided*, That during quarantine or isolation of any case, or of any carrier of a notifiable disease, either

diagnosis may be reversed or said quarantine or isolation may be changed from that of the premises of the one sick to that of any proper quarantine or isolation institution, when conditions under the former state become such as to be a danger to public health.

SEC. 877. It shall be the duty of said department of health, through its accredited agents, to demand at all times proper disinfection or destruction of all infectious material during the course of and at the termination of any notifiable disease. The relation of such infectious material, and the paths by which it may be transmitted, directly or indirectly, to other individuals through the medium of domestic animals, insects, and through raw or prepared foods, shall be subject to such necessary supervision and control as shall be reasonable for the protection of the public health. The department of health, through its accredited agents, may compel screening of the premises or of patients sick with any of the diseases mentioned in section 2, and may compel adequate sanitation of privy vaults and cesspools and the protection of their contents by proper construction, by screening against insects, and by the disinfection of all parts of such vaults and their contents, at such periods of time or at such intervals of time, as shall be deemed necessary for the protection of the public health: *Provided*, That failure to comply with any provisions of the preceding section on the part of the tenant, lessee, or owner of said property or properties, said department of health, through its proper agents, may take such immediate action as shall be reasonable and adequate to protect the public health.

SEC. 878. It shall be unlawful for any unauthorized person to destroy, deface, remove, or obstruct any placard or other notice that has been posted as a warning to the public.

SEC. 879. Any violation of these regulations shall be subject to a penalty of not less than \$5 nor more than \$100 for each and every offense.

### NEW YORK, N. Y.

#### Communicable Diseases—Notification of Cases. (Reg. Bd. of H., Sept. 17, 1918.)

SEC. 86. *Duty of persons in charge of hospitals and of physicians to report infectious diseases.*—It shall be the duty of the manager or managers, superintendent, or person in charge of every hospital, institution, or dispensary in the city of New York, to report to the department of health, in writing, the full name, age, and address of every occupant or inmate thereof or person treated therein, affected with any one of the infectious diseases included in the following list, with the name of the disease, within 24 hours after the time when the case is diagnosed, and it shall be the duty of every physician in the said city to make a similar report to the said department within the same period relative to any person found by such physician to be affected with any one of the said infectious diseases, stating, in each instance, the name of the disease: Acute anterior poliomyelitis (infantile paralysis), anthrax, Asiatic cholera, diphtheria (croup), dysentery (epidemic), epidemic cerebrospinal meningitis, glanders, suppurative conjunctivitis, hookworm disease, leprosy, malarial fever, measles, mumps, paratyphoid fever, plague, pulmonary tuberculosis, acute lobar pneumonia, bronchial or lobular pneumonia, influenza, rabies, rubella (German measles, rotheln), scarlet fever, epidemic septic sore throat, smallpox, tetanus, trachoma, trichinosis, tuberculous meningitis, typhoid fever, typhus fever, varicella (chicken pox), whooping cough, and yellow fever.

*Provided*, That if the disease is typhoid fever, scarlet fever, diphtheria, epidemic dysentery, or epidemic septic sore throat, every such report shall also show whether the patient has been, or any member of the household in which the patient resides is, engaged or employed in the handling of milk, cream, butter, or other dairy products for sale or preliminary to sale.

**Puerperal Septicemia and Suppurative Conjunctivitis—Notification of Cases.**  
(Reg. Bd. of H., July 23, 1918.)

SEC. 91. *Puerperal septicemia and suppurative conjunctivitis; duty of officers of schools, dispensaries, and other institutions, and of physicians, to report.*—It shall be the duty of the manager or managers, superintendent, or person in charge of every sanatorium, day nursery, convalescent home, home for children, reformatory, training school, boarding school, hospital, dispensary, or other institution for the care or treatment of persons, in the city of New York, to immediately report, or cause to be immediately reported in writing, to the department of health, the name, age (so far as can be ascertained), and residence of every person received therein or treated thereat who is affected with puerperal septicemia or suppurative conjunctivitis, with the name of the disease with which such person is affected, and it shall be the duty of every physician in the said city to immediately make, or cause to be immediately made, a similar written report to the said department relative to any person found by such physician to be so affected, stating, in each instance, the name of the disease with which said person is affected. Every such manager, physician, and officer shall also report, in writing, the name and address of the physician or midwife in attendance at the time of the onset of the disease, which information it is hereby made the duty of every institution herein specified to obtain and record among its records.

**Communicable Diseases—Quarantine and Isolation.** (Res. Bd. of H., Jan. 30, 1917.)

*Resolved*, That section 89 of the sanitary code be amended, to read as follows:

SEC. 89. *Isolation and quarantine of persons affected with infectious disease.*—It shall be the duty of every physician, immediately upon discovering a person affected with an infectious disease, to secure such isolation and quarantine of such person, or to take such other action as is or may be required by the regulations of the department of health.

**Communicable Diseases — Quarantine — Isolation — Placarding — Hospitalization—Incubation Periods—Care and Treatment of Patient—Disinfection and Cleaning—Requirements in Tuberculosis Cases.** (Res. Bd. of H., Dec. 28, 1917.)

*Resolved*, That the following regulations covering the isolation of persons affected with an infectious disease, relating to section 89 of the sanitary code be adopted, to read as follows:

REGULATION 1. *Isolation.*—Immediately upon receiving the written report of the existence of a case of acute anterior poliomyelitis (infantile paralysis), anthrax, Asiatic cholera, diphtheria (croup), epidemic cerebrospinal meningitis, glanders, leprosy, plague, scarlet fever, smallpox, typhoid fever typhus fever, whooping cough, or yellow fever, required to be filed with the department of health of the city of New York in accordance with the provisions of sections 86 and 88 of the sanitary code of the board of health of the department of health

of the city of New York, the director of the bureau of preventable diseases of said department shall immediately cause a duly authorized agent of the department of health to investigate the same and secure such isolation of the person affected with the disease and to take such other action as is or may be required by these regulations, the provisions of the sanitary code and the orders of the board of health.

REG. 2. *Persons affected with certain infectious disease to be removed to hospital unless quarantined and isolated.*—Persons affected with any of the diseases enumerated in sections 86 and 88 of the sanitary code shall be removed to a hospital of or one designated by the board of health of the department of health of the city of New York unless proper quarantine of the premises and isolation of the patient can be established and maintained without danger to the general public or persons residing in the said premises and in conformity with these regulations.

REG. 3. *Establishment of quarantine.*—Quarantine of the premises occupied by a person affected with an infectious disease shall be established by the personal service of the following quarantine notice upon the head of the family or other person having the charge, custody, or control of the person affected with such disease, to wit:

To: \_\_\_\_\_

A report having been filed in the department of health of the city of New York in conformity with the provisions of sections 86 and 88 of the sanitary code of the board of health of the department of health of the city of New York that \_\_\_\_\_, age \_\_\_\_\_, residing at the above-mentioned premises is affected with \_\_\_\_\_, an infectious disease dangerous to the public health and proper and adequate accommodations and facilities being provided for the isolation of the said person and the quarantine of the said premises in conformity with the provisions of section 89 of the sanitary code and the regulations of the board of health supplemental thereto, permission is hereby granted for such person to remain thereat provided that the provisions of the sanitary code and the regulations of the board of health, copies of which are herewith served upon you, are strictly complied with and no danger to the public health results from the continuance of such person at said premises.

You are hereby warned that failure to comply with said provisions of the sanitary code and the said regulations may result in the removal of the said person affected with the said disease as aforesaid, to a hospital of, or one designated by, the board of health of the department of health of the city of New York, criminal prosecution, or both.

By order of the board of health.

Dated: \_\_\_\_\_

\_\_\_\_\_,  
Commissioner of Health.

\_\_\_\_\_,  
Medical Inspector.

REG. 4. *Placarding premises.*—In all cases of diphtheria, scarlet fever, and acute anterior poliomyelitis (infantile paralysis) a warning placard prepared and issued by the department of health shall be posted or displayed upon the premises occupied by the person affected in the following manner:

a. *Tenement houses and apartment houses.*—A warning notice or placard shall be affixed to the outer side of the door leading into the apartment occupied by the patient.

b. *Two-family houses.*—Where there is a common hallway used by both families, the placard shall be affixed to the outside of the door leading from the hallway into the room or rooms occupied by the patient. Where there is a separate entrance provided for each family, the placard shall be affixed to the door leading to the room occupied by the patient.

c. *One-family houses.*—A placard or notice shall be affixed to the door leading into the room occupied by the patient.

No such warning notice or placard shall be mutilated, destroyed, covered, defaced, interfered with, or removed by any unauthorized person.

REG. 5. *Minimum quarantine period.*—For the purpose of these regulations the minimum period of quarantine shall be as follows:

a. *Diphtheria.*—Twelve days from onset, during which time no cultures will be examined; after which, until two consecutive cultures, taken not less than 24 hours apart, and preferably from both nose and throat, fail to show the presence of diphtheria bacilli.

b. *Scarlet fever.*—Thirty days after the onset of the first symptoms, provided discharges from nose and ears have ceased.

c. *Cerebrospinal meningitis.*—Fourteen days from the onset.

d. *Acute anterior poliomyelitis.*—Three weeks from the date of onset.

e. *Typhoid fever.*—Until 10 days after the patient's temperature reaches normal, and until two specimens of feces, collected at least 24 hours apart, are found to be free from the presence of typhoid bacilli.

REG. 6. *Incubation period.*—For the purpose of these regulations the maximum period of incubation (the period between the date of the last exposure to the disease and the date of development of the disease) of the following infectious diseases shall be as follows:

a. *Diphtheria*, seven days.

b. *Scarlet fever*, seven days.

c. *Cerebrospinal meningitis*, seven days.

d. *Acute anterior poliomyelitis*, two weeks.

e. *Typhoid fever*, two weeks.

f. *Smallpox*, 21 days.

g. *Measles*, 14 days.

REG. 7. *Isolation, medical care, and treatment.*—No person affected with diphtheria, scarlet fever, or acute anterior poliomyelitis (infantile paralysis) shall be permitted to remain at home unless the following accommodations, facilities, and requirements are provided for the isolation, the medical care, and treatment at such premises:

a. There shall be a duly licensed, practicing physician in attendance.

b. Room or rooms where the patient is to be isolated shall be well lighted and ventilated as required by section 54 of the sanitary code. Such room or rooms shall be separate and apart from rooms occupied by other members of the family. All windows of room or rooms must be screened during the fly season.

c. The family of persons affected with typhoid fever, paratyphoid, and acute anterior poliomyelitis (infantile paralysis) must have a separate toilet for their exclusive use.

d. All eating and drinking utensils used by the patient must be kept apart from those used by the other members of the family and shall be boiled after each use.

e. The personal and bed linen of the patient must be properly disinfected. Proper disinfection, within the meaning of this regulation, shall be the boiling of such linen or by chemical disinfection thereof in the manner and in accordance with the requirements specified in the circular of instruction issued by the department of health.

f. In cases of typhoid fever, paratyphoid fever, and acute anterior poliomyelitis (infantile paralysis) the patient must have a special attendant, who must not do any housework duties for other members of the family. He or she may, however, leave the house provided necessary precautions as to personal disinfection are observed and contact with all children avoided.



REG. 8. *Persons to be excluded from isolation room.*—No person other than the attending physician, nurse, attendant, or duly authorized agent of the department of health shall enter or be permitted to enter the room or rooms occupied by a person affected with diphtheria, scarlet fever, and acute anterior poliomyelitis (infantile paralysis). Nor shall any such physician, nurse, attendant, or other person cause, suffer, or allow any person affected with any of the said diseases as aforesaid, to leave any such room or rooms unless and until the duly authorized agent of the department of health certifies in writing, as required by regulation 10, that such person may be removed without danger to the public health.

REG. 9. *Duty of physician to isolate.*—It shall be the duty of every physician immediately upon discovering a person affected with diphtheria, scarlet fever, and acute anterior poliomyelitis (infantile paralysis) to cause such person to be isolated in a room or rooms separate and apart from those occupied by other persons. Such person shall remain so isolated until the duly authorized agent of the department of health establishes quarantine as provided by regulation 3: *Provided, however,* If the attending physician suspects, but is unable to make a positive diagnosis at the time of his first examination or at any subsequent time, but is of the opinion that the patient may be affected with an infectious disease, he should secure the isolation of such patient and take such other necessary precautions as will prevent danger of the spread of the disease until a positive diagnosis is made.

REG. 10. *Disinfection, cleansing, and renovation.*—Upon receipt of notice from the attending physician of the complete recovery of any person affected with diphtheria, scarlet fever, and acute anterior poliomyelitis (infantile paralysis), the room or rooms occupied by such person and all furniture and belongings therein, shall be adequately disinfected or cleansed and renovated in conformity with the provisions of section 101 of the sanitary code. Upon completion of the disinfection or cleansing and renovation, a duly authorized representative of the department of health may terminate the quarantine of the premises and isolation of the patient and remove the warning notices or placards from the premises. No such room or rooms shall be occupied by any person until such disinfection, cleansing, or renovation shall have been performed, and the quarantine and isolation terminated as aforesaid.

REG. 11. *Circular of instruction.*—A circular of instruction and advice issued or approved by the department of health shall be furnished and delivered by the duly authorized representative of said department to all persons responsible for the maintenance of the quarantine of the premises and the isolation of the patient.

REG. 12. *Special requirements as to tuberculosis.*—No person affected with pulmonary tuberculosis (in communicable form) shall be permitted to remain at home unless the following accommodations, facilities, and requirements are provided thereat.

a. Adequate individual sleeping accommodations must be provided. The room or rooms occupied by the patient for sleeping purposes shall not be so occupied by any other person not suffering from the same form of tuberculosis, and whose presence is not necessary for the proper care and treatment of the patient.

b. The patient shall strictly comply with the conditions imposed in circular of instruction and advice issued or approved by the department of health and served personally upon him by the duly authorized representative of said department.

c. The room or rooms occupied by such person shall be well lighted and ventilated as required by section 54 of the sanitary code,

d. All eating and drinking utensils used by the patient must be boiled after being used by such person.

e. The expectoration of such persons must be received in suitable receptacles and properly destroyed.

**Communicable Diseases—Hospitalization. (Res. Bd. of H., Dec. 28, 1917.)**

*Resolved*, That the following regulations governing the removal and detention of persons affected with infectious diseases be adopted, to read as follows

**REGULATION 1. Report of medical inspector.**—Whenever a medical inspector of the department of health submits a report in writing in conformity with the provisions of section 97 of the sanitary code to the effect that a person affected with an infectious disease is a danger to the lives and health of the persons with whom he or she comes in contact or is associated with, and the director of the bureau of preventable diseases, the sanitary superintendent, or an assistant sanitary superintendent issues an order directing the removal of such person to a hospital under the jurisdiction and control of the board of health, such report and order shall be made upon official blanks approved by the board of health. The report referred to shall contain a detailed statement showing the facts and evidence, including the clinical and bacteriological diagnosis if practicable and facts as to home conditions upon which such medical inspector bases his opinion that such person is a danger to others.

**REG. 2. Order.**—Upon receipt of the report of the medical inspector hereinbefore referred to, the sanitary superintendent, an assistant sanitary superintendent, or the director of the bureau of preventable diseases, as the case may be, shall carefully review the facts and evidence embodied in or accompanying said report and if in his opinion the person referred to therein is under the circumstances a menace to the lives and health of persons residing in the neighborhood or on the same premises with such person, he shall make an order directed to the medical officer in charge of a hospital or of one designated by the department of health to which such person is to be removed, authorizing and directing the removal of such person from the place where he or she may be to such hospital.

**REG. 3. Order to be delivered to medical officer.**—The original order authorizing and directing the removal of such person to the hospital shall be delivered to the medical officer in charge of such hospital and shall constitute his authority to remove such person and to temporarily detain him or her at such hospital for proper medical care and treatment.

**REG. 4. Report and copy of order to be referred to the board of health.**—The report of the medical inspector and a copy of the order hereinbefore referred to shall be immediately transmitted, through the proper channels, to the board of health and shall be accompanied by a report recommending that an order of the board of health issue, directing the detention of such person at such hospital for such period of time as the board of health in its discretion determines.

**REG. 5. The board to order temporary detention.**—The board of health, if satisfied that the person so removed is a source of danger to others, may order his or her temporary detention in such hospital until discharged in the manner hereinafter set forth.

**REG. 6. Discharge of person removed.**—The medical officer in charge of the hospital to which such person has been removed, upon signing and placing among the permanent records of such hospital a statement to the effect that such person has obeyed the rules and regulations of such hospital and that in his judgment such person may be discharged without danger to the lives or

health of others or for any other reason which he may deem adequate and sufficient, shall transmit, through the proper channels, to the commissioner of health a recommendation that such person be discharged from such hospital. The commissioner of health may discharge such person and shall report each such discharge, together with a statement of the reasons therefor, to the board of health. If the medical officer in charge of the hospital does not recommend the discharge of such person in the manner hereinbefore provided, the patient may apply to the commissioner of health or the board of health for his or her discharge, and the commissioner of health or the board of health may thereupon afford such patient an opportunity to be heard in behalf of his application. Any person so detained may, however, apply to the commissioner of health or the board of health at any time for his or her discharge from such hospital and upon receipt of an application therefor such person shall be given an opportunity to be heard before the commissioner of health, the board of health, or his or its duly authorized representative.

**REG. 7. Medical officer in charge authorized to permit of temporary leave of absence.**—The medical officer in charge of such hospital is authorized and empowered to permit of the temporary absence from such institution of patients removed and detained in accordance with these regulations: *Provided*, That the physical condition of the patient is such as to warrant such absence without danger to his or her life or health; that such person will not during such temporary period of absence be a danger to those with whom he or she may come in contact or be associated with; and that there is a substantial cause for such absence.

**Laboratories for Diagnosis of Communicable Diseases—Permit Required—Must Comply with Requirements of Board of Health. (Res. Bd. of H., June 28, 1917.)**

*Resolved*, That article 7 of the sanitary code be and is hereby amended by adding thereto a new section to be known as section 105, to read as follows:

**SEC. 105. Diagnostic laboratories regulated.**—No laboratory offering facilities for the diagnosis of communicable diseases shall be conducted or maintained in the city of New York without a permit therefor issued by the board of health or otherwise than in accordance with the regulations of the said board.

**Laboratories for Diagnosis of Communicable Diseases—Conduct and Maintenance. (Res. Bd. of H., June 28, 1917, and Dec. 31, 1918.)**

*Resolved*, That the following regulations governing the conduct and maintenance of laboratories offering facilities for the diagnosis of communicable diseases be and the same are hereby adopted, to read as follows:

**REGULATION 1. Applications.**—Applications for permits to conduct and maintain laboratories offering facilities for the diagnosis of communicable diseases shall be made by the person in charge of the laboratory upon official application blanks furnished by the department of health.

**REG. 2. A duly qualified person to be in charge.**—The person in charge of the laboratory shall be a duly licensed physician or a person whose qualifications are satisfactory to the department of health.

**REG. 3. Specimens to be numbered.**—Every specimen received at the laboratory for the purpose of determining the presence of communicable diseases shall be numbered and so designated as to definitely establish the identity of each particular specimen.

**REG. 4. *Records to be kept.***—The person in charge of the laboratory shall cause a record to be kept wherein shall be entered the following information:

- a. The laboratory number and date of the receipt of every specimen to be tested to determine the presence of an infectious disease.
- b. The name and address of the person from whom the specimen was taken.
- c. The name and address of the physician submitting the specimen.
- d. The name of the person to whom, and date of, the report of the result of the test was forwarded.
- e. The date the report of the result of the examination was forwarded to the department of health.
- f. The result of the laboratory test.

Such register shall be open to inspection by a duly authorized representative of the department of health.

**REG. 5. *Equipment.***—The laboratory shall be equipped with adequate facilities to properly perform such tests of specimens as the laboratory undertakes to make.

**REG. 6. *Methods.***—The methods employed shall be such as are generally recognized as effective.

**REG. 7. *Report of result of examination to be forwarded to the department of health.***—Whenever an examination of a specimen submitted to the laboratory for diagnosis discloses the existence of a case of infectious disease, the person in charge of such laboratory shall report to the department of health, in writing, within 24 hours after the time the diagnosis is made, the name and address of the person from whom the specimen was taken, the name and address of the physician submitting the specimen, the date the specimen was received at the laboratory, and the name of disease found.

#### **Communicable Disease Dispensaries—Must Comply with Board of Health Regulations. (Res. Bd. of H., June 28, 1917.)**

*Resolved*, That article 12 of the sanitary code be, and is hereby, amended by adding thereto a new section to be known as section 223:

**SEC. 223. *Dispensaries; communicable disease; regulations.***—No public dispensary where communicable diseases are treated or diagnosed shall be conducted or maintained otherwise than in accordance with the regulations of the board of health.

#### **Dispensaries for Treatment of Communicable Eye Diseases—Conduct and Maintenance. (Res. Bd. of H., Sept. 27, 1917.)**

*Resolved*, That regulations governing the conduct and maintenance of dispensaries wherein human beings affected with communicable eye diseases are treated and cared for and relating to section 223 of the sanitary code be and the same are adopted, to read as follows:

**REGULATION 1. *Examination and treatment to be conducted in special department.***—The examination and treatment of persons affected with communicable eye diseases shall be conducted in a special dispensary or a special department connected with a dispensary or hospital maintained solely for such purpose.

**REG. 2. *Bacteriological and microscopical examination.***—Every such dispensary should be provided with adequate facilities for making bacteriological and microscopical examinations, where practicable, of the secretions from eyes affected with a communicable disease. If such facilities be not provided at the dispensaries, proper provision shall be made for the prompt delivery of specimens to

the department of health or other approved laboratories where such examinations are made.

REG. 3. *Number of patients to be examined.*—The number of patients to be treated at a dispensary shall be regulated by the number of physicians in attendance and the equipment and facilities provided in the dispensary. The maximum number of patients examined by a physician shall not exceed 35 per hour.

REG. 4. *Dispensaries to be open three days of each week; medical attendance.*—Every such dispensary shall be open at least three days of each week for the reception of patients, their treatment and proper disposition. The necessary medical and nursing staff shall be on duty on all the days set apart for the reception of patients.

REG. 5. *Follow-up system.*—A follow-up system approved by the department of health to secure regular and adequate care and treatment of patients shall be established and maintained.

REG. 6. *Circular of instruction and advice.*—A circular of instruction and advice, issued or approved by the department of health, shall be furnished and delivered to every person found to be affected with a communicable eye disease, and individual instruction shall be given every such person as to the precautions to be taken in order to prevent the communication of the disease to others.

REG. 7. *All applicants to be examined.*—Every such dispensary shall examine, and if necessary treat, at the time of their first visit all applicants irrespective of their place of residence.

REG. 8. *Records.*—A complete and adequate record shall be kept of every case of communicable eye disease examined or treated at a dispensary. The department of health may require, in its discretion, regular and uniform statistical reports relating to the examination, care, and treatment of all persons coming within the jurisdiction and control of such dispensary. Such reports shall not be open to inspection by the public or to any person other than a representative of the department of health of the city of New York, and such persons as may be authorized by law to inspect such records.

REG. 9. *Procedure governing the discharge of patients.*—A standard procedure governing the discharge of patients shall be followed. Such procedure shall embrace suitable tests and subsequent persistent observations.

**Communicable Diseases—Reports by Medical Examiners of Deaths from.**  
(Res. Bd. of H., Dec. 31, 1917.)

*Resolved,* That article 6 of the sanitary code be generally revised and amended, to read as follows;

ART. 6. MEDICAL EXAMINERS.

SEC. 80. *Duties of medical examiners.*—The chief medical examiner, the deputy medical examiners, and the assistant medical examiners shall transmit and cause to be delivered to the department of health within two hours after viewing the dead body of any person who has died from any infectious disease the following facts so far as known or reported to such chief medical examiner, deputy medical examiners, and assistant medical examiners: The name of the deceased; the place of death, giving the street and street number or such other particulars as will identify said place of death; the location of the body; the cause of death; the date and time of death; the name or names of physician or physicians, if any, attending the deceased in his or her last illness; the occupation of deceased; the place of employment; the place to which body has been removed, if removal permit has been issued; and if autopsy was performed, the findings thereof.



**Coughing and Sneezing—Nose and Mouth to Be Covered. (Reg. Bd. of H., Oct. 17, 1918.)**

SEC. 226. *Persons to protect nose and mouth when coughing or sneezing.*—In order to prevent the conveyance of infective material to others, all persons shall, when coughing or sneezing, properly cover the nose and mouth with an handkerchief or other protective substance.

**OAKLAND, CALIF.****Influenza—Wearing of Masks Required. (Ord. 1498, Nov. 1, 1918.)**

SECTION 1. During the period of the epidemic of the so-called Spanish influenza, which is now prevalent in the city of Oakland, which, for the purpose of this ordinance shall be deemed to exist until proclamation, provided for in section 2 of this ordinance, shall have been issued, every person appearing on the public streets, in any public place, or in any assemblage of persons, or in any place where two or more persons are congregated, except in homes where only two members of the family are present, and every person engaged in the sale, handling, or distribution of foodstuffs or wearing apparel, shall wear a mask or covering, except when partaking of meals, over the nose and mouth, consisting of four-ply material known as butter cloth or of fine-mesh gauze, at the four corners of which are attached tape or other fastening so that the mask or covering can be made to firmly cover the nose and mouth, said mask to be not less than 5 inches in width and 7 inches in length.

SEC. 2. When the health officer shall determine that the said epidemic of Spanish influenza has ceased to exist in the city of Oakland, said health officer shall communicate his determination to the mayor of said city, who thereupon shall issue a proclamation to the people of the city of Oakland proclaiming the fact that the health officer has determined that said epidemic has ceased to exist.

SEC. 3. Every person who shall violate any of the provisions of section 1 of this ordinance shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than \$5 nor more than \$100, or by imprisonment in the city prison for a period of not exceeding 10 days, or by both such fine and imprisonment.

SEC. 4. This ordinance shall take effect immediately, and shall remain in force and effect until the date of said proclamation provided for in section 2 hereof.

**PASADENA, CALIF.****Influenza, Pneumonia, and Coryza—Notification of Cases—Quarantine—Placarding—Creation of Office of Deputy Health Officer. (Ord. 1746, Dec. 14, 1918.)**

SECTION. 1. It shall be the duty of the health department to immediately quarantine every house, building, structure, or tent in the city of Pasadena in which there is any person reported by any physician, or deemed by the health officer to be afflicted with the disease of influenza, Spanish influenza, gripe, acute cold in the head or coryza, or pneumonia of any infectious type: *Provided*, That the portion of any hotel, boarding house, rooming house, apartment or flat designated by the health officer may be so quarantined, separately from other portions of any such building.

SEC. 2. It shall be unlawful for any person residing or being in any place named in section 1 hereof which is quarantined by the health department, to

leave such place without the written consent of the health officer: *Provided, however,* That any physician, or any member of the health department, or upon a written permit issued by the health officer, any person residing or being in any such place who has no quarantinable disease, and whose clothing and person is free from any infection therefrom, may leave such place upon conditions prescribed by the health officer. Any such permit shall be revokable upon failure to comply with any of the conditions thereof.

SEC. 3. It shall be unlawful for any person except a physician or any member of the health department to enter any place named in section 1 hereof, which is under quarantine, without the consent of the health officer.

SEC. 4. Each case of influenza, Spanish influenza, grippe, acute cold in the head, or coryza, or pneumonia of any infectious type, shall, as soon as possible, be reported to the health department by the physician or person in charge or having knowledge thereof, and not later than 9 o'clock a. m. of the day following the time such case is diagnosed as such disease.

The office of deputy health officer is hereby created. The city physician shall be deputy health officer of the city, and as such shall take charge of all matters relating to the quarantine hereby established. It shall be the duty of the city physician to cause to be posted, conspicuously, on or near the front of all places under quarantine on account of diseases named in section 1 hereof, a card not less than 5 by 12 inches in size, the name of the disease to be printed thereon in black on a light blue ground for cases of influenza, Spanish influenza, grippe or acute cold in the head, or coryza, and in black on a white ground for cases of pneumonia of any infectious type.

It shall be unlawful for any person to remove, deface, or destroy any such card without permission from the health officer.

SEC. 5. The regulations hereby made are imperatively demanded, and this ordinance is required for the immediate preservation of the public health, safety and welfare, and this ordinance shall take effect upon its publication.

SEC. 6. Any person who or which shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than \$500 or by imprisonment for not more than six months, or by both such fine and imprisonment.

#### PITTSBURG, KANS.

#### **Influenza—Notification of Cases—Placarding—Quarantine—Isolation—Attendance at Schools and Public Gatherings—Preventive Measures Authorized. (Ord. 1727, Dec. 7, 1918.)**

SECTION 1. Unless inconsistent with the contents, the words "physician," "attending physician" or "practicing physician" shall be construed and held to mean all persons practicing medicine, osteopathy, chiropractic or any other person practicing the healing art in the city of Pittsburg, Kans.

SEC. 2. It shall be the duty of every practicing physician in the city of Pittsburg, Kans., to report to the health department of the city of Pittsburg, Kans., all cases of influenza that such practicing physician may be called upon to attend in the city of Pittsburg, Kans. In cases of influenza occurring in a residence, where no practicing physician is called or is in attendance, such cases shall be reported by the head of the house. In case of influenza occurring in hotels, apartment houses, and rooming houses, where no practicing physician is called or is in attendance, such cases shall be reported by the proprietor or manager of such hotel, apartment house or rooming house. Such reports shall be made within 24 hours from the time of the discovery or diag-

nosis of such cases of influenza and shall be made on blanks furnished by the health department of the city of Pittsburg, which reports shall contain the name, residence, street number, or correct post-office address, occupation, age, sex, and color of person afflicted with the disease. Every person, whose duty it is to report cases of influenza, who shall fail to make such report within the time specified in this ordinance shall, upon conviction, be punished as hereinafter set out.

SEC. 3. Whenever any occupant of any residence, hotel, apartment house, or rooming house shall have influenza, it shall be the duty of the attending physician or head of the house or proprietor or manager of the hotel, apartment house, or rooming house to at once order that there be and see that there is posted in a conspicuous place on the residence or room, if a hotel, apartment house, or rooming house, a card not less than 12 inches square on which shall be printed in large type the word "Influenza," and such other matter as shall be required by the health department of the city of Pittsburg, which card shall be furnished by the health department. It shall be the duty of the city physician upon receiving information of the existence of influenza in any residence, hotel, apartment house, or rooming house to ascertain if a card has been posted as required by this ordinance, and if not, such city physician shall immediately cause a card to be posted as required by this ordinance. Such card shall be maintained and kept in place until in the opinion of the city physician the same may be safely removed. Any person who shall fail, neglect, or refuse to comply with the provisions of this section of this ordinance, or who shall remove or destroy any card posted as provided in this section without the consent of the city physician, shall, upon conviction, be punished as hereinafter set out.

SEC. 4. Whenever any occupant of any residence or any person rooming at any hotel, apartment house, or rooming house shall have influenza, such residence or room in a hotel or rooming house or apartment shall be immediately quarantined, and such premises shall be deemed to be quarantined from the time such card provided for in the preceding section is posted and until such card is removed by order of the city physician. From and during the quarantine of said house, room, or apartment no one shall be permitted to enter or leave such quarantined premises except the attending physician, city physician, nurse, or nurses' attendants, and except as set out herein. Wage earners and those engaged in imperative business may be exempted from quarantine, providing the patient is isolated in a room to herself or himself, and that the wage earner or person engaged in imperative business remain out of the sick room and has written permission from the board of health to leave the premises. All patients afflicted with influenza are to be strictly isolated, coming in contact with none except the necessary physician, nurse, or attendant. Nurses or nurses' attendants, before entering the residence, room, or apartment where a person is afflicted with influenza, must be furnished with instructions to prevent contracting the disease, and must be given permission to enter said residence, room, or apartment by the board of health. Quarantine of patients will be continued for five days after temperature has reached normal. Quarantine of contacts or exposed persons must continue for five days after date of last exposure. Any wage earner or person engaged in an imperative business who shall enter or leave the premises quarantined as provided in this ordinance, except under the terms and conditions provided in this ordinance, shall, in addition to other penalties provided in this ordinance, be prohibited from leaving the premises so quarantined during the time that such quarantine is in effect. Any person entering or leaving said premises so quarantined, except as provided in this section, or who

shall violate any of the provisions of this section of this ordinance, shall, upon conviction, be punished as hereinafter set out.

SEC. 5. It shall be unlawful for any child residing in any place where there is a person afflicted with influenza, or which has been quarantined, to attend the public or any other school or any church, lodge [sic], theater, or any public gathering of any kind, or to leave said premises during the time that the influenza exists in the same or that the same is quarantined. It shall be the duty of the board of education of the city of Pittsburg and of the superintendent, principals, and teachers of all public and private schools in the city of Pittsburg to exclude from such schools all children residing in homes or other places where there is a case of such influenza or which are under quarantine. It shall be the duty of the owner, manager, or person in charge of every theater, public or private hall, church, or other place where crowds are permitted to assemble, to exclude from such places all persons residing in homes or other places where there is a case of influenza or which are under quarantine. Any person knowingly or willfully violating any of the provisions of this section of this ordinance shall upon conviction be punished as hereinafter set out.

SEC. 6. The mayor of the city of Pittsburg, Kans., is hereby authorized and empowered by proclamation, whenever in the opinion of the city physician it shall become necessary to prevent the spread of influenza, to order closed any or all public, private, or other schools, churches, theaters, lodges, and other organizations, and to prevent or regulate gatherings of any public bodies, assemblies, gospel gatherings, congregations, lodges, theaters, or any other organizations, and to make such regulations in reference to the assembling or congregating of persons in places of business and other public and private places as in his judgment will prevent the spread of such disease. Any person who shall fail, neglect, or refuse to comply with the requirements of such proclamation shall, upon conviction, be punished as hereinafter set out.

SEC. 7. Any person violating any of the provisions of this ordinance shall, upon conviction, be punished by a fine of not less than \$25 nor more than \$500 or by confinement in the city jail for a term not exceeding six months, or by both such fine and imprisonment.

### PORT CHESTER, N. Y.

**Communicable Diseases—Notification of Cases—Diphtheria Cultures—Isolation—Quarantine—Hospitalization—Removal of Patients and Contaminated Articles—Concurrent Disinfection—Precautions by Physicians and Attendants—Distribution of Circulars of Information—Placarding—Prevention of Spread in Institutions—Exposure of Infected and Well Persons—Attendance at Schools and Gatherings—Hospitalization, Quarantine, Isolation, and Vaccination in Smallpox Cases—Incubation Periods—Sale, Handling, and Destruction of Foodstuffs—Carriers—Reports of Food Poisoning—Procedure in Tuberculosis Cases—Cleaning, Renovation, and Disinfection—Destruction of Contaminated Articles—Occupation of Premises After Termination of Case—Placarding by Common Carriers—Burial. Venereal Diseases—Circular of Information and Instructions to Be Given Patient—Records Not to Be Divulged. (Reg. Jan. 21, 1918.)**

#### CHAPTER I. DEFINITIONS AND GENERAL PROVISIONS.

REGULATION 1. *Definitions.*—Unless otherwise specifically provided herein, the following words and terms used in these regulations are defined for the purposes hereof as follows:

(1) The term "communicable disease" means such communicable disease as may be designated in regulation 1 of chapter 3 of the sanitary code of the State or in regulation 1 of chapter 3 of these regulations: *Provided, however,* That none of these regulations shall apply to or include chancroid, gonorrhea, or syphilis unless such disease is specifically mentioned in such regulation.

(2) The term "municipality" means and includes a city, town, village, or consolidated health district.

(3) The term "board of health" or "local board of health" means and includes the board of health of the village of Port Chester.

(4) The term "sanitary code" means the sanitary code of the State of New York adopted by the public health council pursuant to law.

REG. 2. *Construction of regulations.*—Nothing herein contained shall be deemed to limit or abridge the power conferred upon this board to make other orders and regulations, either general or particular, so long as such orders and regulations do not conflict with the provisions of any law or the provisions of the sanitary code, but if such orders and regulations, hereafter enacted, conflict with or are inconsistent with the provisions of these regulations they shall be deemed, in so far as necessary, to supersede these regulations.

REG. 3. *Penalty for violations.*—Every violation of, or failure to comply with, any of the provisions of these regulations shall be punishable by a penalty not to exceed \$100 for a single such violation or failure. This penalty shall be deemed to be in addition to any other penalty or punishment provided for by law or by the provisions of the sanitary code.

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### CHAP. 3. COMMUNICABLE DISEASES.

REGULATION 1. *Communicable diseases designated.*—For the purpose of this code, the term "communicable disease" shall be held to include the following diseases, which are hereby declared to be communicable through the conveyance of the infective organisms:

Anthrax.	Paratyphoid fever.
Chancroid.	Plague.
Chickenpox.	Pollomyelitis, acute anterior (infantile paralysis).
Cholera, Asiatic.	Puerperal septicemia.
Diphtheria (membranous croup).	Rabies.
Dysentery, amebic and bacillary.	Scarlet fever.
Epidemic or cerebrospinal meningitis.	Syphilis.
Epidemic or streptococcus (septic) sore throat.	Smallpox.
German measles.	Trachoma.
Glanders.	Tuberculosis.
Gonorrhea.	Typhoid fever.
Measles.	Typhus fever.
Mumps.	Whooping cough.
Ophthalmia neonatorum (suppurative conjunctivitis of the newborn).	

REG. 2. *Reporting cases of communicable disease by physicians.*—It shall be the duty of every physician to report to the health officer the full name, age, and address of every person affected with a communicable disease, together with the name of the disease, within 24 hours from the time when the case is first seen by him. Such report shall be by telephone or telegram, when practicable, and shall also be made in writing.



REG. 2-a. *Reporting cases of persons bitten by a rabid animal.*—It shall be the duty of every physician or other person to report to the health officer the full name, age, and address of every person who has been bitten (a) by a rabid animal, (b) by an animal suspected of being rabid, within 24 hours from the time when such fact comes to his knowledge.

It shall be the duty of the health officer to transmit promptly these reports to the State department of health.

REG. 3. *Reporting cases of disease presumably communicable in schools.*—When no physician is in attendance it shall be the duty of every teacher to report forthwith to the principal or person in charge of the school all facts relating to the illness and physical condition of any child in such school who appears to be affected with a disease presumably communicable. It shall be the duty of the principal or person in charge of every school to report forthwith to the health officer all facts relating to the illness and physical condition of any child attending such school who appears to be affected with any disease presumably communicable, together with the name, age, and address of such child. Such child shall be at once sent home or isolated.

REG. 4. *Reporting cases of disease presumably communicable in private households, hotels, boarding and lodging houses.*—When no physician is in attendance it shall be the duty of the head of a private household or the proprietor or keeper of any hotel, boarding house, or lodging house to report forthwith to the health officer all facts relating to the illness and physical condition of any person in any private household, hotel, boarding house, or lodging house under his charge who appears to be affected with any disease presumably communicable, together with the name of such person.

REG. 5. *Reporting cases of disease presumably communicable by nurses and persons in charge of camps.*—It shall be the duty of every visiting nurse and public-health nurse and of the person in charge of any labor or other camp having knowledge of any person affected with any disease presumably communicable, who by reason of the danger to others seems to require the attention of the public-health authorities, to report at once to the health officer within whose jurisdiction such case occurs all facts relating to the illness and physical condition of such affected person.

REG. 6. *Reporting cases of communicable disease on dairy farms by physicians.*—When a case of Asiatic cholera, diphtheria, amebic or bacillary dysentery, epidemic cerebrospinal meningitis, epidemic or septic sore throat, paratyphoid fever, poliomyelitis (infantile paralysis), scarlet fever, smallpox, or typhoid fever exists on any farm or dairy producing milk, cream, butter, or other dairy products for sale, it shall be the duty of the physician in attendance to report immediately to the health officer the existence on such farm or dairy of such case.

It shall be the duty of the health officer to report immediately to the State commissioner of health, by telephone or telegram, the existence, on such farm or dairy of such case, together with all facts as to the isolation of such case, and giving the names of the localities to which such dairy products are delivered.

REG. 7. *Reporting cases of disease presumably communicable on dairy farms by owner or person in charge.*—When no physician is in attendance, it shall be the duty of the owner or person in charge of any farm or dairy producing milk, cream, butter, cheese, or other food products likely to be consumed raw, to report forthwith to the health officer the name and address and all facts relating to the illness and physical condition of any person who is affected with any disease presumably communicable and who is employed or resides on or in

such farm or dairy, or comes in contact in any way therewith or with its products.

REG. 8. *Diphtheria; material for cultures to be submitted.*—In every case of illness which there is reason to suspect is diphtheria, it shall be the duty of the attending physician or of the health officer promptly to take material for cultures from the throat of the suspected person and submit the same for examination to a State, county, or municipal bacteriological laboratory, or to a laboratory approved by the State commissioner of health.

REG. 9. *Isolation of persons affected with communicable diseases.*—It shall be the duty of every physician, immediately upon discovering a case of communicable disease, to secure such isolation of the patient, or to take such other action as is required by the special rules and regulations which from time to time may be issued by the health officer or by the State department of health.

REG. 10. *Adults not be quarantined in certain cases.*—When a person affected with a communicable disease is properly isolated on the premises, except in cases of smallpox, adult members of the family or household, who do not come in contact with the patient or with his secretions or excretions, may, with the written consent of the health officer, continue their usual vocations, provided such vocations do not bring them in close contact with children, nor require that they shall handle food or food products intended for sale.

REG. 11. *Removal of cases of communicable disease.*—After isolation by the health officer no person, without permission from him, shall carry, remove, or cause or permit to be carried or removed from any room or building any person affected with diphtheria, scarlet fever, smallpox, or typhus fever.

Without permission from the health officer no person shall carry, remove, or cause or permit to be carried or removed from or to any hotel, boarding house, lodging house, or other dwelling, any person affected with chickenpox, diphtheria, epidemic cerebrospinal meningitis, epidemic or septic sore throat, measles, mumps, poliomyelitis (infantile paralysis), scarlet fever, smallpox, typhus fever, or whooping cough.

Without permission from the health officer no master of any vessel or other person shall remove or aid in removing, or permit the removal, from any such vessel to the shore, of any person affected with any communicable disease.

REG. 12. *Removal of articles contaminated with infective material.*—Without instruction from the health officer no person shall carry, remove, or cause or permit to be carried or removed from any room or building any article which has been subject to contamination with infective material through contact with any person or with the secretions of any persons affected with Asiatic cholera, diphtheria, scarlet fever, smallpox, typhoid fever, or typhus fever, until such article has been disinfected according to the special rules and regulations of the State department of health.

REG. 13. *Right of entrance and inspection.*—No person shall interfere with or obstruct the entrance to any house or building by any inspector or officer of the State or local health authorities, in the discharge of his official duties, nor shall any person interfere with or obstruct the inspection or examination of any occupant of any such house or building by any inspector or officer of the State or local health authorities, in the discharge of his official duties.

REG. 14. *Instructions as to disinfection of excreta in Asiatic cholera, dysentery, paratyphoid fever, and typhoid fever.*—It shall be the duty of the physician in attendance on any case suspected by him to be Asiatic cholera, dysentery, paratyphoid fever, or typhoid fever, to give detailed instructions to the nurse or other person in attendance in regard to the disinfection and disposal of

the excreta. Such instructions shall be given on the first visit, and shall conform to the special rules and regulations of the State department of health. It shall be the duty of the nurse or person in attendance to carry out the disinfection in detail until its discontinuance is permitted by the health officer.

REG. 15. *Instructions as to disinfection of discharges in diphtheria, epidemic cerebrospinal meningitis, epidemic or septic sore throat, measles, poliomyelitis (infantile paralysis), scarlet fever, smallpox and whooping cough.*—It shall be the duty of the physician in attendance on any case suspected by him to be diphtheria, epidemic cerebrospinal meningitis, epidemic or septic sore throat, measles, poliomyelitis (infantile paralysis), scarlet fever, smallpox, or whooping cough, to give detailed instructions to the nurse or other person in attendance in regard to the disinfection and disposal of the discharges from the nose, mouth, and ears of the patient. Such instructions shall be given on the first visit and shall conform to the special rules and regulations of the State department of health. It shall be the duty of the nurse or person in attendance to carry out the disinfection in detail until its discontinuance is permitted by the health officer.

REG. 16. *Precautions to be observed by physicians and attendants.*—The physician or nurse or other necessary attendant upon a case of diphtheria, measles, or scarlet fever, after attendance upon the case, shall take precautions and practice measures of cleansing or disinfection of his person or garments to prevent the conveyance to others of infective material from the patient.

REG. 17. *Distribution of circulars.*—It shall be the duty of the health officer, as soon as a case of diphtheria, epidemic cerebrospinal meningitis, epidemic or septic sore throat, measles, poliomyelitis (infantile paralysis), scarlet fever, smallpox, typhoid fever, typhus fever, or whooping cough is reported to him, or as soon thereafter as possible, to give every family or individual living in the house or building in which such case is, circulars of information and copies of any rules and regulations, printed in a language understood by such individual, concerning such disease which may be issued by the State department of health or this board. The health officer shall also notify every family or individual living in the house of the existence of such disease.

REG. 18. *Posting placards.*—When a case of diphtheria, epidemic cerebrospinal meningitis, measles, poliomyelitis (infantile paralysis), scarlet fever, smallpox, or typhus fever exists in any house or apartment, or room, it shall be the duty of the health officer to post upon such house, or apartment, or room, or rooms, in which such case is isolated, near the entrance thereof, a placard stating the existence therein of a communicable disease.

REG. 19. *Interference with placards.*—No person shall interfere with or obstruct the posting of any placard by any official of this board, in or on any place or premises, nor shall any person conceal, mutilate, or tear down any such placard, except by permission of the health officer.

In the event of any such placard being concealed, mutilated or torn down, it shall be the duty of every occupant of the premises concerned immediately to notify the health officer.

REG. 20. *Preventing the spread of communicable diseases in institutions.*—It shall be the duty of the superintendent or person in charge of any hospital, or other institution, or dispensary, in which there is a person affected with any communicable disease, to take such steps as will, so far as practicable, prevent the spread of infection and trace its original source.

REG. 21. *Exposure of persons affected with communicable disease.*—No person shall permit any child, minor, or other person under his charge, affected

with diphtheria, measles, poliomyelitis, acute anterior (infantile paralysis), scarlet fever, smallpox, or typhus fever, to associate with others than his attendants.

No person affected with any of said diseases shall expose himself in such manner as to cause or contribute to, promote or render liable their spread.

REG. 22. *Needless exposure to communicable disease forbidden.*—No person shall expose or permit the visiting, association, or contact of any child, minor or other person under his charge, with any person affected with diphtheria, measles, scarlet fever, smallpox, typhus fever, or whooping cough, or with discharges of any kind from the person of a patient affected with any of said diseases.

No person shall needlessly expose himself, or visit, or associate, or come in personal contact with a case of any of said diseases, or the discharges therefrom or in any manner cause or contribute to, promote or render liable, the spread thereof.

REG. 23. *Exclusion from school of cases of disease presumably communicable.*—It shall be the duty of the principal or other person in charge of any public, private, or Sunday school to exclude therefrom any child or other person affected with a disease presumably communicable until such child or other person shall have presented a certificate issued by the health officer or medical inspector or by the attending physician and countersigned by the health officer, or by the medical inspector, stating that such child or other person is not liable to convey infective material.

REG. 24. *Exclusion from schools and gatherings of cases of certain communicable diseases.*—No person affected with chickenpox, diphtheria, epidemic cerebrospinal meningitis, epidemic or septic sore throat, German measles, measles, mumps, poliomyelitis (infantile paralysis), scarlet fever, smallpox, trachoma, or whooping cough, shall attend or be permitted to attend any public, private or Sunday school, or any public or private gathering. Such exclusion shall be for such time and under such conditions as may be prescribed by the health officer, not inconsistent with the provisions of the sanitary code, these regulations or the special rules and regulations of the State department of health.

REG. 25. *Exclusion from schools and gatherings of children of households where certain communicable diseases exist.*—Every child who is an inmate of a household in which there is, or has been within 15 days, a case of chicken pox, diphtheria, epidemic cerebrospinal meningitis, German measles, measles, mumps, poliomyelitis (infantile paralysis), scarlet fever, smallpox, or whooping cough, shall be excluded from every public, private, or Sunday school and from every public or private gathering of children for such time and under such conditions as may be prescribed by the health officer, not inconsistent with the provisions of the sanitary code, these regulations or the special rules and regulations of the State department of health.

REG. 26. *Precautions to be observed in chicken pox, German measles, mumps, and whooping cough.*—No person affected with chicken pox, German measles, mumps, or whooping cough shall be permitted to come in contact with or to visit any child who has not had such disease or any child in attendance at school.

REG. 26-a. *Chancroid, gonorrhea, and syphilis.*—Chancroid, gonorrhea, and syphilis are hereby declared to be infectious and communicable diseases, highly dangerous to the public health.

It shall be the duty of every physician when first attending a person affected with chancroid, gonorrhea, or syphilis to furnish said person with a circular

of information issued or approved by the State commissioner of health and to instruct such person as to the precautions to be taken in order to prevent the communication of the disease to others.

REG. 26-b. *Records of venereal diseases not to be divulged.*—The records of the health officer in reference to cases of chancroid, gonorrhea, and syphilis shall not be divulged or made public so as to disclose the identity of the persons to whom they relate by any person, except in so far as may be authorized by the public health council.

REG. 27. *Isolation or removal in smallpox.*—It shall be the duty of the health officer whenever a case of smallpox occurs in his jurisdiction, if a suitable hospital is available, to remove or cause to be removed such case promptly thereto. Every inmate of the household where such case occurs, and every person who has had contact with such case, or with his secretions or excretions, shall be either vaccinated within three days of his first exposure to the disease or placed under quarantine, and, when vaccinated, the name and address of such inmate or other person shall be taken and such inmate or other person shall be kept under daily observation. Such observation shall continue until successful vaccination results, or for at least 20 days. If such inmate or other person refuses to be vaccinated, he shall be quarantined until discharged by the health officer.

If there is no hospital available, the patient shall be isolated and every inmate of the household shall be vaccinated or strictly quarantined until discharged by the health officer.

Whenever a case of smallpox occurs in his jurisdiction it shall be the duty of the health officer to use all diligence in securing the names and addresses of all persons who have had contact with such case, and in causing such persons to be either vaccinated or placed under quarantine.

REG. 28. *Removal to hospital or isolation and restriction of visiting in certain cases.*—It shall be the duty of the health officer to remove, or cause to be removed, every case of diphtheria, measles, scarlet fever, or poliomyelitis, acute anterior (infantile paralysis), promptly to a suitable hospital, or to see that such case is properly isolated. Such isolation shall be maintained until its discontinuance is permitted by the health officer.

No person, except the physician and the nurse or other person in attendance, shall be permitted to come in contact with or to visit a case of diphtheria, measles, scarlet fever, or poliomyelitis, acute anterior (infantile paralysis), except by permission of the health officer.

REG. 29. *Removal to hospital or isolation, and provision for persons who can not be removed.*—It shall be the duty of the health officer, whenever a case of diphtheria, scarlet fever, or typhus fever occurs in a lodging house, hotel or boarding house, if suitable hospital facilities are available, to remove or cause to be removed such case promptly thereto, unless in the judgment of such officer, the case can be safely isolated.

REG. 30. *Quarantine in certain emergencies.*—When any case of diphtheria, epidemic cerebrospinal meningitis, measles, scarlet fever, smallpox, poliomyelitis, acute anterior (infantile paralysis), or typhus fever is not or can not be properly isolated on the premises and can not be removed to a suitable hospital, it shall be the duty of the health officer to forbid any member of the household from leaving the premises, except under such conditions as he may specify and except as provided by regulation 11 of this chapter.

REG. 31. *Maximum period of incubation.*—For the purpose of these regulations, the maximum period of incubation (that is, between the date of the ex-



posure to disease and the date of its development), of the following communicable diseases is hereby declared to be as follows:

Chicken pox, 21 days.

Measles, 14 days.

Mumps, 21 days.

Poliomyelitis, acute anterior (infantile paralysis), 14 days.

Scarlet fever, 7 days.

Smallpox, 20 days.

Whooping cough, 14 days.

REG. 32. *Minimum period of isolation.*—The minimum period of isolation, within the meaning of these regulations, shall be as follows:

*Chicken pox*, until 12 days after the appearance of the eruption, and until the crusts have fallen and the scars are completely healed.

*Diphtheria (membranous croup)*, until two successive negative cultures have been obtained from the nose and throat at intervals of not less than 24 hours, the first of such cultures being taken not less than nine days from the day of the onset of the disease.

*Measles*, until seven days after the appearance of the rash and until all discharges from the nose, ears, and throat have disappeared and until the cough has ceased.

*Mumps*, until two weeks after the appearance of the disease and one week after the disappearance of the swelling.

*Poliomyelitis, acute anterior (infantile paralysis)*, until three weeks from the day of the onset of the disease.

*Scarlet fever*, until 30 days after the development of the disease and until all discharges from the nose, ears, and throat, or suppurating glands have ceased.

*Smallpox*, until 14 days after the development of the disease and until scabs have all separated and the scars completely healed.

*Whooping cough*, until eight weeks after the development of the disease or until one week after the last characteristic cough.

REG. 33. *Sale of foods forbidden in certain cases.*—When a case of diphtheria, epidemic or septic sore throat, amebic or bacillary dysentery, epidemic cerebrospinal meningitis, scarlet fever, smallpox, poliomyelitis, acute anterior (infantile paralysis), or typhoid fever exists on any farm or dairy producing milk, cream, butter, cheese, or other foods likely to be consumed raw, no such foods shall be sold or delivered from such farm or dairy, except under the following conditions:

(a) That such foods are not brought into the house where such case exists;

(b) That all persons coming in contact with such foods eat, sleep, and work wholly outside such house;

(c) That such persons do not come in contact in any way with such house or its inmates or contents;

(d) That said inmates are properly isolated and separated from all other parts of said farm or dairy, and efficiently cared for; and

(e) That a permit is issued by the health officer.

REG. 34. *Destruction of foods in certain cases.*—When a case of diphtheria, epidemic or septic sore throat, amebic or bacillary dysentery, epidemic cerebrospinal meningitis, scarlet fever, smallpox, poliomyelitis, acute anterior (infantile paralysis), or typhoid fever exists on any farm or dairy producing milk, cream, butter, cheese, or other foods likely to be consumed raw, the State commissioner of health or the health officer may destroy or order the destruction

of any such foods which in his opinion may have been so contaminated as to be a source of danger.

REG. 35. *Handling of food forbidden in certain cases.*—No person affected with any communicable disease shall handle food or food products intended for sale, which are likely to be consumed raw or liable to convey infective material.

No person who resides, boards, or lodges in a household where he comes in contact with any person affected with bacillary dysentery, diphtheria, epidemic or septic sore throat, measles, scarlet fever, poliomyelitis, acute anterior (infantile paralysis), or typhoid fever shall handle food or food products intended for sale.

No waiter, waitress, cook, or other employee of a boarding house, hotel, restaurant, or other place where food is served, who is affected with any communicable disease, shall prepare, serve, or handle food for others in any manner whatsoever.

No waiter, waitress, cook, or other employee of a boarding house, hotel, restaurant, or other place where food is served, who lodges or visits in a household where he comes in contact with any person affected with bacillary dysentery, diphtheria, epidemic or septic sore throat, measles, scarlet fever, poliomyelitis, acute anterior (infantile paralysis), or typhoid fever shall prepare, serve, or handle food for others in any manner whatsoever.

REG. 36. *Carriers of disease germs.*—Any person who is a carrier of the disease germs of Asiatic cholera, bacillary dysentery, diphtheria, epidemic cerebrospinal meningitis, poliomyelitis (Infantile paralysis), or typhoid fever shall be subject to the special rules and regulations of the State department of health.

REG. 37. *Reports of food poisoning.*—When any physician or the superintendent or person in charge of any hospital, other institution, or dispensary, or any visiting nurse, or public health nurse, or the person in charge of any labor or other camp shall have knowledge of the occurrence of a number or group of cases of severe or fatal illness believed to have been due to the consumption of articles of food suspected to have been spoiled or poisonous, it shall be the duty of such physician, superintendent, nurse, or other person to report the same immediately, by telephone or telegram, when practicable, to the health officer.

It shall be the duty of the health officer to report immediately to the State commissioner of health, by telephone or telegram, when practicable, the occurrence of a number or group of such cases.

REG. 38. *Duties of physicians and other persons concerning tuberculosis.*—It shall be the duty of every physician or other person required to perform any duty under sections 320 to 330, both inclusive, of article 16 of the public health law, providing for the reporting and control of cases of tuberculosis, to take all steps incumbent on him and necessary to carry into effect the provisions of the said law.

REG. 38-a. *Duties of health officers on receiving report of an apparent case of tuberculosis.*—Upon receiving word in writing of an apparent case of tuberculosis, as authorized by section 320 of the public health law, the health officer shall thereupon take the following steps:

1. If the alleged case has been previously reported to him by a physician as having tuberculosis and the latter has elected to assume the sanitary supervision thereof as permitted in section 328 of the public health law, the health officer shall ascertain promptly whether such physician is maintaining proper sanitary supervision.

2. If the alleged case has not been previously reported to him as having tuberculosis, the health officer shall take proper measures to determine whether there

is reason to believe such person is affected with pulmonary tuberculosis, and if by suitable physical or sputum examination, or both, he ascertains that the person is affected with pulmonary tuberculosis, he shall then proceed in accordance with the provisions of the public health law and the rules of the State department of health.

REG. 39. *Cleansing, renovation, and disinfection required.*—Adequate cleansing of rooms, furniture, and belongings, when deemed necessary by the health officer, or required by the sanitary code, these regulations, or otherwise by law, shall immediately follow the recovery, death, or removal of a person affected with a communicable disease. Such cleansing shall be performed by and at the expense of the occupant of said premises, upon the order and under the direction of the health officer, in accordance with the sanitary code and these regulations.

Adequate renovation of premises when deemed necessary by the health officer, or required by the sanitary code or these regulations, or otherwise by law, shall immediately follow the recovery, death, or removal of a person affected with a communicable disease. Such renovation shall be performed by and at the expense of the owner of said premises or his agents, upon the order and under the direction of the health officer, in accordance with the sanitary code and these regulations.

Adequate disinfection of premises, furniture, and belongings, when deemed necessary by the health officer or required by the sanitary code, these regulations, or otherwise by law, shall immediately follow the recovery, death, or removal of a person affected with a communicable disease. Such disinfection shall be performed by or under the direction of the health officer in accordance with the sanitary code or these regulations, and at the public expense, unless otherwise provided pursuant to law.

REG. 40. *Methods and precautions in cleansing, renovation, and disinfection.*—The following methods and precautions shall be observed in cleansing, renovation, and disinfection:

(a) Cleansing shall be secured by the thorough removal of dust and other contaminating material in such a way as to prevent the entry thereof, as far as may be possible, into other rooms or dwellings; washing with soap and water; scouring; airing; and exposure to sunlight; in accordance with the special rules and regulations of the State department of health.

(b) Renovation shall be secured by removing old paper from walls and ceilings, and repainting, recalcimining, or repapering of walls, ceilings, and woodwork as may be ordered by the health officer in accordance with the special rules and regulations of the State department of health.

(c) Disinfection of rooms shall be secured by the use of such disinfecting agents in such quantities and in such manner, and of such sterilizing procedures as may be ordered by the health officer, in accordance with the special rules and regulations of the State department of health. When gaseous disinfectants are to be used, all cracks, crevices, and openings into the room shall first be pasted over with paper. Thereafter, all rugs, carpets, upholstered furniture and such textile fabrics in the said room as can not, in the opinion of the health officer, be washed or soaked in a disinfecting solution, may be removed for disinfection by steam when ordered by the health officer, in accordance with the special rules and regulations of the State department of health.

REG. 41. *Destruction of furniture, clothing, and other articles.*—Furniture, bedding, clothing, carpets, rugs, and other articles, which may have been contaminated with infective material from any case of diphtheria, scarlet fever, or smallpox, and which are of such a nature or in such condition that they can

not, in the opinion of the health officer, be properly cleansed, disinfected, or sterilized, shall upon his order be destroyed in the manner designated by him.

REG. 42. *Cleansing and disinfection of the person.*—It shall be the duty of the patient, upon convalescence or recovery from any communicable disease, and of the nurse or persons in attendance on such case, throughout the course of the disease, as well as its close, suitably to cleanse and, when necessary, to disinfect their persons in accordance with the manner prescribed by the special rules and regulations of the State department of health.

REG. 43. *Letting of rooms forbidden while contaminated with infective material.*—No proprietor of a hotel, boarding house, or lodging house shall let for hire or cause or permit anyone to occupy a room or apartment previously occupied by a person affected with diphtheria, epidemic cerebrospinal meningitis, measles, poliomyelitis (infantile paralysis), scarlet fever, smallpox, tuberculosis, or typhus fever, until such room or apartment has been cleansed, renovated, or disinfected under the direction of the health officer.

When an order requiring the cleansing, renovation, or disinfection of articles or premises is not complied with, the health officer shall post a placard on the premises, reading as follows:

Notice: These apartments have (or this room has) been occupied by a person affected with \_\_\_\_\_. They (or it) must not again be occupied until orders for cleansing, renovation or disinfection have been complied with. This notice must not be removed under penalty of the law.

Date \_\_\_\_\_,

\_\_\_\_\_,  
Health Officer.

REG. 44. *Placarding by common carriers.*—When the declaration in reference to common carriers receiving or admitting persons for carriage or transportation within this municipality has been made by the State commissioner of health in accordance with the provisions of regulation 50 of chapter 2 of the sanitary code, and a common carrier of passengers or officer or agent thereof is notified by the State commissioner of health or by the health officer of such declaration it shall be the duty of such common carrier operating public conveyances in this municipality to forthwith conspicuously place or post in every station within such area as the State commissioner of health may designate, and in every conveyance, the placard hereinafter described and to keep the same posted until the epidemic is declared ended by the State commissioner of health.

WARNING.

THERE IS AN OUTBREAK OF \_\_\_\_\_ IN \_\_\_\_\_.

(Give name of the disease.)

PASSENGERS ARE CAUTIONED.

STATE COMMISSIONER OF HEALTH.

Said placard shall be in heavy block letters in red ink on a white background, with each letter not less than 2 inches in height and 1½ inches in width, and shall be posted so that the same shall be in plain view of passengers when they are seated.

REG. 45. *Duties of undertakers.*—It shall be the duty of every undertaker taking charge of the preparation for burial of the body of any person to ascertain whether such person died of a communicable disease and if such person died of Asiatic cholera, diphtheria, epidemic cerebrospinal meningitis, glanders, plague, scarlet fever, smallpox, or typhus fever it shall be his duty to cause it immediately to be wrapped in a sheet saturated with disinfecting solution and promptly thereafter placed in a coffin or casket, which shall then be immediately and permanently closed. This regulation shall not be construed to prohibit the embalming of any such body, but the undertaker shall cause such embalm-

ing to be done immediately upon taking charge of the body, except that, when a permit for embalming is required, this shall not proceed until the receipt of such permit. But immediately after the embalming he shall cause such body to be wrapped in a sheet and placed in a coffin or casket as hereinabove directed.

After handling, embalming, or preparing for burial the body of a person dead of any of the communicable diseases enumerated in this regulation, such parts of the persons, garments, and utensils or other articles of the undertaker or his assistants, as may have been liable to contamination with infective material, shall be immediately cleansed or disinfected or sterilized in the manner prescribed by the rules and regulations of the State department of health.

REG. 46. *Public funerals forbidden in certain cases.*—A public or a church funeral shall not be held of any person who has died of diphtheria, measles, scarlet fever, smallpox, or typhus fever; but any funeral of such person shall be private.

### PORTLAND, ME.

**Communicable Diseases—Notification of Cases—Powers and Duties of Health Officer to Prevent Spread—Attendance at Schools and Public Gatherings—Needless Exposure Prohibited—Control of Animals. Industrial Diseases—Notification of Cases. (Reg. Bd. of H., Oct. 2, 1918.)**

SECTION 1. The following-named diseases and disabilities are hereby notifiable to the local board of health, and the occurrence of cases shall be reported as herein provided:

#### GROUP 1. INFECTIOUS DISEASES.

Actinomycosis.	Mumps.
Anthrax.	Ophthalmia neonatorum (conjunctivitis of newborn infants).
Chancre.	Paragonimiasis (endemic hemoptysis).
Chancroid.	Paratyphoid fever.
Chickenpox.	Plague.
Cholera, Asiatic (also cholera nostras when Asiatic cholera is present or its importation threatened).	Pneumonia (acute).
Continued fever lasting seven days (where diagnosis has not been made).	Poliomyelitis (acute infectious).
Dengue.	Rabies.
Diphtheria (membranous croup).	Rocky Mountain spotted or tick fever.
Dysentery: (a) amebic, (b) bacillary.	Scarlet fever.
Favus.	Septic sore throat.
German measles.	Smallpox.
Glanders.	Syphilis.
Gonorrhea.	Tetanus.
Hookworm disease.	Trachoma.
Influenza (la grippe, Russian and Spanish influenza).	Trichinosis.
Leprosy.	Tuberculosis (all forms, the organ or part affected in each case to be specified).
Malaria.	Typhoid fever.
Measles.	Typhus fever.
Meningitis: (a) epidemic cerebrospinal, (b) tuberculous.	Whooping cough.
	Yellow fever.



## GROUP 2. OCCUPATIONAL DISEASES.

Arsenic poisoning.	Wood-alcohol poisoning.
Brass poisoning.	Naphtha poisoning.
Carbon monoxide poisoning.	Bisulphide of carbon poisoning.
Lead poisoning.	Dinitrobenzine poisoning.
Mercury poisoning.	Caisson disease (compressed-air illness).
Natural-gas poisoning.	
Phosphorous poisoning.	

## GROUP 3. DISEASES UNKNOWN ORIGIN.

Cancer.

Pellagra.

SEC. 2. Each and every physician practicing in the city of Portland who treats or examines any person suffering from or afflicted with any one of the notifiable diseases, and each and every other person in the city of Portland who assumes responsibility and care of any person suffering from or afflicted with any one of said notifiable diseases, shall immediately report such case of notifiable disease in writing to the health officer. Said report shall be forwarded either by mail or by special messenger and shall give the following information:

1. The date when report is made.
2. The name of the disease or suspected disease.
3. The name, age, sex, color, occupation, address, and school attended or place of employment of patient.
4. Number of adults and of children in the household.
5. Source or probable source of infection or the origin or probable origin of the disease.
6. Name and address of the reporting physician or person.

*Provided*, That if the disease is or is suspected to be smallpox the report shall in addition show whether the patient has been successfully vaccinated, and, if the patient has been successfully vaccinated, the number of times and dates or approximate date of such vaccination; and if the disease is or is suspected to be cholera, diphtheria, plague, scarlet fever, smallpox, or yellow fever the physician or other person making such report shall, in addition to the written report, give immediate notice of the case to the health officer in the most expeditious manner available; and if the disease is or is suspected to be typhoid fever, scarlet fever, diphtheria, septic sore throat, tuberculosis, or any venereal disease, the report shall also show whether the patient has been, or any member of the household in which the patient resides has been, or is engaged or employed in the handling of milk, milk products, or other foods for sale or preliminary to sale: *And provided further*, That the reports of cases of the venereal disease may be by case number.

SEC. 3. The requirements of the preceding section shall be applicable to physicians attending patients ill with any of the notifiable diseases in hospitals, asylums, or other institutions, public or private, and said requirements shall be applicable also to each and every other person in the city of Portland who assumes responsibility and care of any person ill with any of said notifiable diseases in any of said institutions. The superintendent or other person in charge of any such hospital, asylum, or other institution in which the sick are cared for, must report the cases of notifiable diseases and disabilities occurring in or admitted to said hospital, asylum, or other institution in the same manner as that prescribed for physicians.

SEC. 4. Whenever a person is known or is suspected to be afflicted with a notifiable disease, or whenever the eyes of an infant under two weeks of age

become reddened, inflamed, or swollen, or contain an unnatural discharge, and no physician is in attendance, an immediate report of the existence of the case shall be made to the health officer by the midwife, nurse, attendant, or other person in charge of the patient.

SEC. 5. Teachers or other persons employed in or in charge of public or private schools, including Sunday schools, shall report immediately to the health officer each and every known or suspected case of a notifiable disease in persons attending or employed in their respective schools.

SEC. 6. Every householder, hotel keeper, or lodging-house keeper shall report immediately to the health officer each and every known or suspected case of a notifiable disease occurring in residents, guests, or employees of such house, hotel, or lodging house.

SEC. 7. The written reports of cases of the notifiable diseases required by this by-law shall be made upon blanks supplied for the purpose by the health officer. These blanks shall conform to those adopted and approved by the State authorities in conference with the United States Public Health Service.

SEC. 8. The health officer or his deputy is hereby authorized and directed, whenever a complaint is made or he has reason to believe that an infectious or contagious disease prevails in any house or other locality, to inspect such house or locality, and the inmates thereof, or to cause inspection thereof to be made, and in houses or localities where such diseases are most liable to prevail the said health officer may inspect or cause inspection thereof to be made periodically as frequently as he may deem for the best interest of the health of the community.

SEC. 9. The health officer, under the direction and with the approval of the city board of health, shall in all cases of pestilence, contagious, infectious, or epidemic diseases, or of danger from anticipated or impending pestilence, contagious, infectious, or epidemic diseases, or in case the sanitary condition of the city shall be of such a character as to warrant it, take such measures, and adopt such specific rules, and do and order, and cause to be done such acts for the preservation of the public health as the public safety and health shall demand, and to that end may cause any and all schools, libraries, theaters, churches, and all buildings or places where people are accustomed to congregate and all other houses, buildings, and places where said health officer and the board of health shall have reason to believe there is or may be special danger of contagion, to be closed for a specified period or until the danger from such pestilence, contagious, infectious, or epidemic disease shall have ceased to exist, and to cause all such buildings to be disinfected when in the opinion of the health officer it is necessary to do so. Any person who violates or neglects or refuses to obey any such specific rules, regulations, or orders shall be subject to the penalties herein provided.

SEC. 10. No principal or superintendent of any school and no parent or custodian of any child or minor (having the power and authority to prevent) shall permit any child or minor having acute poliomyelitis (infantile paralysis), smallpox, chicken pox, German measles, measles, mumps, epidemic cerebrospinal meningitis, or whooping cough, or any child or minor in any family or living with any family in which any such disease exists, or has recently existed, to attend any public or private school or Sunday school until the health officer shall have given his permission therefor, nor shall any such principal, superintendent, parent, or custodian permit any child or minor to be unnecessarily exposed or to needlessly expose any other person to the taking or to the infection of any communicable disease.

SEC. 11. No person living in a house or apartment upon which a quarantine placard has been placed shall attend or visit any school or public assembly in the city without a written permit from the health officer.

SEC. 12. No cat, dog, or other household animal shall be allowed to run in and out of the house during the quarantine period. Such animal must be confined outside or kept away from the premises altogether.

SEC. 13. Any person who shall fail, neglect, or refuse to comply with, or who shall violate any of the provisions of this by-law shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not exceeding \$50.

#### SACRAMENTO, CALIF.

#### **Communicable Diseases—Notification of Cases—Quarantine—Placarding—Removal of Infected Persons—Attendance at Schools and Gatherings—Disinfection—Funerals. (Ord. 318, Oct. 11, 1917.)**

SECTION 1. It is hereby made the duty of every physician, Christian Science practitioner, or purported healer of any and every kind and character or name in the city of Sacramento, who visits for treatment, or treats any person for contagious sickness, no matter by what name the same may be designated by such physician or person whether as illness, disease, or error, or in what manner the same may be treated by such person, to report such contagious case immediately in writing to the health officer, either in person or through a regular physician called in for that purpose; and it is also made their duty to report to such health officer all cases or suspected cases of Asiatic cholera, yellow fever, typhus fever, plague, smallpox, scarlet fever, diphtheria, and all contagious, infectious, and communicable diseases, which are required by the rules of the State board of health to be reported to such board.

SEC. 2. Every head of a household and every person keeping a boarding or lodging house or a hotel in the city of Sacramento, shall, if a report has not already been made as provided in section 1 hereof, forthwith report in writing to the health officer of said city, the name of every person who is an inmate of his or her home or his or her hotel, whom he or she shall have reason to believe sick of any disease mentioned in section 1 thereof, or any contagious or infectious disease, and shall also report the death of any person occurring at his or her house or hotel from any such contagious disease.

SEC. 3. It shall be the duty of the health officer, or of some person authorized by him, immediately after the receipt of notice announcing the existence in any building of any infectious or contagious disease, to quarantine the same, if so directed by the State board of health, or if in his judgment said building should be quarantined. Said building shall be quarantined by posting in such places as may be designated by the health officer a placard or flag, upon which shall be printed the name of the disease, in plain and legible letters of at least 2½ inches in length. The health officer may in his judgment quarantine the whole or any portion of such building. Placards or flags announcing the existence of a contagious or infectious disease in a building or part of a building shall not be removed, defaced, or destroyed by any person except the health officer or some person authorized by him, and in no case until the premises have been thoroughly disinfected. Premises or parts of premises while quarantined shall not be visited, nor resided in, by any person or persons other than those who are sick or by those in attendance on such sick person or persons.

SEC. 4. No person shall drive or use any vehicle, or permit any vehicle belonging to him or her, or under his or her control, to be driven or to be used, for the conveyance or removal of any persons infected with any infectious or con-

tagious disease without the written consent of the health officer first had and obtained.

SEC. 5. No persons attending upon or coming in contact with any person infected with any contagious or infectious disease in such a manner or to such an extent as to render them liable to communicate the disease (except physicians, clergymen, nurses, and those engaged in treating contagious diseases), shall go upon any public street, or attend any public or private school, church, place of amusement, or in any way mingle with people not affected with the disease, and all places, premises, and exposed rooms, and all personal property which have become infected with infectious or contagious matter by reason of such contact, shall be thoroughly disinfected by or under the direction of the health officer and in such manner as he shall direct.

SEC. 6. No person shall remove a patient suffering from any infectious or contagious disease from any house or place within the city limits to any other house or place without the written consent of the health officer; and all such removals shall be done only by or under the direction of the health officer.

SEC. 7. No parent, guardian, tutor, or person having charge or control of any child or children, shall allow or permit any such child or children to go from any building infected with any infectious or contagious disease, unless a permit in writing shall first be obtained from the health officer.

SEC. 8. Public funerals over the remains of any persons who have died of any quarantinable, infectious, or contagious diseases, are hereby prohibited.

SEC. 9. Ordinance No. 296, third series, entitled "An ordinance relating to infectious and contagious diseases; prescribing the duties of the health officer and of physicians and other persons in relation thereto; prohibiting the appearance in public places of any person affected with certain infections and contagious diseases and providing other restrictions in respect thereto; fixing a penalty for the violation of the provisions of the ordinance, and repealing ordinance No. 100, passed October 2, 1876; ordinance No. 273, passed June 1, 1891; ordinance No. 276, passed June 8, 1891; and ordinance No. 370, passed November 19, 1894," is hereby repealed.

SEC. 10. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$500 or by imprisonment in the city jail for not more than six months or by both such fine and imprisonment.

#### **Influenza—Wearing of Gauze Masks Required. (Ord. 373, Jan. 11, 1919.)**

SECTION 1. Every person within the limits of the city of Sacramento, while on or upon the streets, alleys, highways, parks, sidewalks, and other public places of said city and when in any public building or in any public office or store, or other place accessible to the public, and also in public eating or drinking places, except when the wearer is actually engaged in eating or drinking, or when in, on or upon any public or private conveyance of any kind or character whatsoever while on or upon the streets, alleys, highways, and parks; or when in attendance upon any case of influenza, or in contact with any such case, or in any home where influenza exists, shall wear over the mouth and nose a mask, consisting of at least four thicknesses of surgeon's gauze and of sufficient width and breadth to cover the nostrils and mouth, said mask to be not less than 5 by 8 inches in size. All masks in use shall be sterilized at least once every 24 hours.

SEC. 2. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining provisions of this ordinance.

The city commission hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more other sections, subsections, sentence, clauses, or phrases be declared unconstitutional.

SEC. 3. It is hereby declared to be unlawful for any person to fail, refuse, or neglect to comply with the provisions of this ordinance, and any person so failing, neglecting, and refusing shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$5 and not more than \$100, or by imprisonment in the city jail for a period not to exceed 30 days, or both such fine and imprisonment.

Each day that a person shall fail, refuse, or neglect to comply with the provisions of this ordinance shall constitute a separate and distinct offense, and shall be punished as herein provided.

#### SAN DIEGO, CALIF.

##### **Influenza—Quarantine. (Res. 24134, Dec. 6, 1918.)**

That upon the request of the board of health of the city of San Diego all practicing physicians registered under the laws of the State of California be, and they hereby are, authorized and directed to place strict quarantine upon all cases of Spanish influenza attended by them within the said city, acting in such cases as special deputy health officers, such authority being given them during the present epidemic, they also being required to notify the board of health immediately upon placing such quarantine upon the cases under their care.

##### **Influenza—Preventive Measures. (Ord. 7557, Dec. 5, 1918.)**

SECTION 1. That during the period beginning at 12 o'clock midnight on Thursday, December 5, 1918, and ending at 12 o'clock midnight on Monday, December 9, 1918, it shall be and is hereby declared to be unlawful to open, or to cause or permit to be opened, except as herein provided:

Subdivision first. Any public or private school, academy, college, or other institution of learning. This subsection shall not be construed to prohibit the furnishing of board and lodging to students now enrolled at any boarding institution of learning.

Subdivision second. Any church, temple, tabernacle, chapel, synagogue, mosque, or other place of worship. This subsection shall not be construed to prohibit the holding of private funeral services at any such place of worship.

Subdivision third. Any lodge, club, society, union, association, or other fraternal, religious, social, athletic, political, literary, or labor organization. This subsection shall not be construed to prohibit the use and occupation of private sleeping rooms in any such institution.

Subdivision fourth. Any auditorium, library, theater, motion-picture house, dance hall, music hall, natatorium, public swimming pool, pool room, billiard room, bowling alley, shooting gallery, boxing arena, penny arcade, card room, or other like public place of amusement.

Subdivision fifth. Any hotel lobby, lodging house lobby, boarding house lobby, rooming house lobby, rest room, community room, public comfort station, or other similar refuge. This subsection shall not be construed to prohibit entrance to or exit from any hotel, lodging house, or similar institution through a lobby, provided all chairs, lounges, settees, benches, cushions, and other movable furniture are excluded from such lobby.

Subdivision sixth. Any barber shop, toilet and beauty parlor, manicuring or hairdressing parlor, shoe-shining parlor, or stand.



Subdivision seventh. Any soda fountain, ice-cream parlor, booth, counter, or stand, whether operated separately or in conjunction with other business; any candy or confectionery store, counter, or stand, whether operated separately or in conjunction with other business; any soft drink club, cabaret, or establishment, cigar and tobacco store, shop, counter, or stand, whether operated separately or in conjunction with other business; and any retail or wholesale intoxicating liquor establishment.

Subdivision eighth. Any wholesale or retail store, market, shop, emporium, bazaar, booth, arcade, studio, or other establishment for the wholesale or retail of goods, wares, or merchandise, excepting establishments for the wholesale or retail of meats, fish, poultry, eggs, dairy produce, groceries, vegetables, fruits, bakery products; drugs, surgical, optical, and medicinal supplies; hay, grain, and provender; wood, coal, oil, and other fuel, upon condition that every employee of any such establishment, while in the performance of his duties as such employee, shall wear a gauze mask made from at least four-ply surgical gauze or from at least six-ply cheesecloth, of such size and shape as to completely cover the nose and mouth and capable of being securely fastened over said members.

This subsection shall not be construed to prohibit the owner or management of any wholesale or retail establishment from receiving and accepting, by mail, telephone, telegraph, or similar agency, and from filling and delivering orders or requests for underwear, bedding, towels, bandages, linens, muslins, or other merchandise necessary and proper for use in case of sickness or death and to the proper preservation of health; neither shall this subsection be construed to require the closing of public dining rooms, eating rooms, cafés, restaurants, lunch rooms or counters, cafeterias, or other similar place: *Provided*, In any such eating place every employee shall, while in the performance of his duties, wear a gauze mask, of the type in this subsection hereinbefore described: *And provided further*, That there shall not be at any one time more patrons in any such eating place than can be seated and served with facilities now installed.

Subdivision ninth. Any factory, foundry, shop, workshop, print shop, mill, manufacturing establishment, cleaning and dyeing establishment, shipyard, wharf, dock, pier, freight house, or similar institution.

This section shall not be construed to prohibit the loading and unloading and delivery of perishable freight or express, or the loading or unloading of freight or express to prevent demurrage or congestion of freight centers, or to prevent free and uninterrupted use of freight carriers.

Neither shall this subsection be construed to prohibit the printing and publication of newspapers nor the operation of laundries: *Provided*, That every employee in any manner connected with the printing or publication of any newspaper or the operation of any laundry shall, while in the performance of his duties, wear a gauze mask of the type in this section hereinbefore described.

Subdivision tenth. Any money exchange, pawnshop, loan shop, real estate office, real estate and exchange office, stock exchange office, bucket shop, or other similar institution.

This subsection shall not be construed to prohibit any State or national banking institution from remaining open: *Provided*, Every officer and employee of such institution shall, while in the performance of his duties, wear a gauze mask of the type in this section hereinbefore described.

Subdivision eleventh. Nothing in this section shall be construed to prohibit any public utility operating in or partly within the city of San Diego from opening and keeping open such offices, departments, yards, and shops as are necessary to a proper discharge of its duties and extension of service to the public: *Provided*, That every employee in any manner connected with the operation of

any such utility shall, while in the performance of his duties, wear a gauze mask of the type hereinbefore described.

Nothing in this section shall be construed to prohibit the owner or management of any business institution herein described from keeping and maintaining within said business institution such force of clerks, employees, and assistants as may be necessary to the adequate and proper protection of said business, stock in trade, or building from loss by fire, theft, riot, or from other causes: *Provided*, That every employee retained in such business establishment shall, while in the performance of his duties, wear a gauze mask of the type hereinbefore described.

To encourage and facilitate open-air privileges and benefits, livery stables, and auto storage departments of garages, together with gas and oil stations, may remain open under the conditions in this ordinance imposed.

SEC. 2. During the period set forth in section 1 of this ordinance, it shall be and is hereby declared to be unlawful for any person employed in any place allowed to remain open under the provisions of this ordinance, to perform any of the duties or services of his employment, or to be within his place of employment unless he has securely fastened upon his mouth and nose a gauze mask of the type described in section 1 hereof, and it is further declared to be unlawful for any person to enter or remain in any place of business, eating houses excepted, permitted under the provisions of section 1 of this ordinance to remain open, without having securely fastened upon his face and over his mouth and nose a gauze mask of the type described in section 1 hereof.

SEC. 3. During the period set forth in section 1 of this ordinance, it shall be, and is hereby, declared to be unlawful to operate any railroad car or cars, street car or cars, ferryboat, passenger boat, taxicab, automobile stage, bus, or other public conveyance in which there is being transported at any one time a number of passengers in excess of the seating capacity of such conveyance; or to operate any such conveyance unless at all times during such operation there shall be open and kept open a sufficient number of doors and windows to insure and allow a free and uninterrupted passage of air currents through such conveyance.

SEC. 4. That it shall be and is hereby declared to be unlawful for any person, firm, or corporation to operate any passenger elevator in which there shall be conveyed at any one time more persons than a number, excluding the operator, equal to one person for each square yard of floor space.

Every operator of a public passenger elevator, while in the performance of his duties, shall wear a gauze mask of the type described in section 1 hereof.

SEC. 5. That all public or private meetings, gatherings, or assemblages of any kind or character in any public hall, licensed hall, lodge or club room, hotel lobby, waiting room, or similar place, or any public meeting or gathering in any public park, plaza, thoroughfare, stadium, playground, or similar public place, is hereby prohibited during the period mentioned in section 1 of this ordinance.

This section shall not be construed to prohibit private funeral services in graveyards, cemeteries, crematories, or similar places.

SEC. 6. That no provision of this ordinance shall be construed to prohibit the meetings, sessions, or convening of any executive, legislative, or judicial officers, bodies, or branch of the Nation, State, or any political subdivision thereof.

SEC. 7. That any person violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not less than \$5 nor more than \$100, or by imprisonment in the city jail of said city for a period not exceeding 30 days, or by both such fine and imprisonment; and in the event that the fine imposed hereunder is not paid, then by imprisonment in the city jail of said city at the rate of one day for every \$2 of the fine so imposed.

SEC. 8. If any section, subsection, subdivision, sentence, clause, phrase, or word of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The common council hereby declares that it would have passed this ordinance, and each section, subsection, subdivision, sentence, clause, phrase, and word thereof irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or words is declared unconstitutional.

**Influenza—Wearing of Gauze Masks Required. (Ord. 7562, Dec. 9, 1918.)**

SECTION 1. That during the period beginning at 12 o'clock midnight on Monday, December 9, 1918, and ending at 12 o'clock midnight on Wednesday, the 18th day of December, 1918, it shall be, and is hereby, declared to be unlawful for any person to be or to appear or to remain in any public or private place within the city of San Diego, other than the home or place of abode or confinement of said person, unless said person shall wear, securely fastened over his nose and mouth, a gauze mask made from at least four-ply surgical gauze, or from at least six-ply cheesecloth, or preferably from at least three-ply butter cloth: *Provided, however,* That nothing herein contained shall be construed as prohibiting any person from removing said mask while being served and while actually consuming articles of food or drink; neither shall this section be construed to require the use of a gauze mask at a time when the use of such mask would render the wearer physically unable to perform the duty or labor essential to his occupation; nor shall this section be construed to prohibit the removal of the mask during the time that its removal is made necessary for face or scalp treatment, or in the administration of medical or surgical aid, or while receiving the sacrament.

SEC. 2. That any person violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not less than \$5, nor more than \$100, or by imprisonment in the city jail of said city for a period not exceeding 30 days, or by both such fine and imprisonment; and in the event that the fine imposed hereunder is not paid, then by imprisonment in the city jail of said city at the rate of one day for every \$2 of the fine so imposed.

**SPOKANE, WASH.**

**Influenza—Notification of Cases—Quarantine. (Ord. C2384, Dec. 30, 1918.)**

SECTION 1. That the disease commonly known as influenza, be and is hereby, declared a dangerous, contagious, and infectious disease, subject to quarantine, and made notifiable as such to the health officer of the city of Spokane; and the said health officer is hereby empowered and authorized, whenever he shall deem it necessary for the protection of public health, to promulgate and enforce all necessary quarantine rules and regulations in relation thereto.

SEC. 2. It shall be unlawful for any person, knowing or having cause to believe himself to be sick with influenza, to appear upon any of the streets, alleys, or other public places of the city of Spokane, or move about or approach to or mingle with other persons, or to remove to or visit another place or building, or to leave his house or place of domicile for any purpose, or for any person to remove any such sick person from any such house or place to any other house or place, or for any person living in the house with any such sick person to leave such house, without permission from the health officer so to do.

SEC. 3. It shall be the duty of every physician, nurse, practitioner, or healer, and of every person assuming to act as such, attending, treating, or prescribing

any treatment, medical or otherwise, for any person sick with influenza, to immediately report in writing to the health officer of the city of Spokane the existence of such influenza and the name and residence or domicile of the person afflicted or showing symptoms of being afflicted therewith; and it shall likewise be the duty of the head of any household, or proprietor or manager of any hotel, lodging house, hospital, or sanitarium, having reason to believe that an inmate of such household, hotel, lodging house, hospital, or sanitarium is afflicted with influenza, and where no physician is in attendance upon such person, to make a like report to said health officer.

SEC. 4. Nothing herein shall be deemed to repeal, change, alter, or affect any of the existing ordinances of the city of Spokane relating to public health, but the provisions hereof shall be held to be cumulative and in addition to existing ordinances.

SEC. 5. Any person violating or failing to comply with any of the provisions of this ordinance, or any of the rules and regulations made hereunder by the health officer of the city of Spokane, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in any sum not exceeding \$100, or by imprisonment in the city jail for a period not exceeding 30 days, or by both such fine and imprisonment.

#### SPRINGFIELD, MASS.

##### **Influenza—Isolation—School Attendance. (Reg. Bd. of H., Oct. 28, 1918.)**

RULE 15. All persons suffering from influenza shall be isolated for a period of 10 days from date of notification given to the board of health. Such isolation shall be maintained to the satisfaction of the board of health and subject to such penalties as are provided in the statutes.

No person except the attending physician and necessary caretakers shall enter any room where a person is sick with said disease.

All children exposed to influenza shall be excluded from school for a period of five days dated from the latest exposure to the disease.

#### TOPEKA, KANS.

##### **Tuberculosis—Notification of Cases—Records Not to Be Divulged—Occupation of Premises After Termination of Case—Precautions to Prevent Spread—Hospitalization—Treatment by City Physician in Certain Cases—Reports of Recoveries—Reports to State Board of Health. (Ord. 4721, May 19, 1917.)**

SECTION 1. Tuberculosis is hereby declared to be an infectious and communicable disease dangerous to the public health. It shall be the duty of every physician in the city of Topeka to report in writing on a form to be furnished by the city health department, the name, age, sex, color, occupation, place where last employed, if known, and address of every person known by said physician to have tuberculosis, to the city physician within 24 hours after such fact comes to the knowledge of said physician.

SEC. 2. It shall be the duty of the city physician to cause all such reports so made to be recorded in a register of which he shall be the custodian. Such register shall not be opened to inspection by any person other than the health authorities of said city. And said health authorities shall not permit any such report or record to be divulged so as to disclose the identity of the person to

whom it relates, except as may be necessary to carry into effect the provisions of this ordinance.

SEC. 3. In case of the vacation of any apartment or premises by the death or removal therefrom of a person having tuberculosis, it shall be the duty of the attending physician, or if there be no such physician, of the owner, lessee, occupant, or other person having charge of the said apartments or premises, to notify the health officers of said city of said death or removal within 24 hours thereafter and such apartments or premises so vacated shall not again be occupied until duly disinfected and the city physician, or one of the city health officers, shall within 24 hours thereafter visit said apartments or premises and shall order and direct and determine the manner in which said apartments or premises shall be disinfected, cleansed, or renovated.

SEC. 4. In case the order or direction of the city physician requiring the renovation of any apartment or premises shall not be complied with within 48 hours after such order or direction shall be given the city physician may cause a placard in words and form substantially as follows to be placed upon the door of the infected apartment or premises: "Tuberculosis is a communicable disease. These apartments have been occupied by a consumptive and may be infected. They must not be occupied until the order of the city physician directing the disinfection or renovation has been complied with."

SEC. 5. Any person having tuberculosis shall exercise proper care to prevent infecting others, and all persons so suffering from tuberculosis shall dispose of their sputum, saliva, or other bodily secretion or excretion in an approved and sanitary manner, and any person suffering from tuberculosis shall not expectorate upon the floor or wall of any public place nor upon any sidewalk or street, nor upon the floor or wall of any dwelling.

SEC. 6. No washing, ironing, or cooking shall be done in any room where there is any person suffering from tuberculosis, and all dishes and utensils used by any person suffering from tuberculosis shall be either thoroughly boiled or immersed in an approved antiseptic solution for at least 30 minutes after being used.

SEC. 7. It shall be the duty of a physician attending a patient having tuberculosis to take all proper precaution and to give proper instructions to prevent the spread of tuberculosis, and it shall be the duty of the city physician to transmit to a physician reporting a case of tuberculosis a printed statement in a form approved by the secretary of the State board of health, naming such procedures and precautions as in the opinion of the said secretary are necessary or desirable to be taken on the premises of a tuberculosis patient. And if such attending physician be unwilling or unable to carry into effect the procedure and precautions specified it shall then be the duty of the city physician to see that such procedure and precautions are carried out.

SEC. 8. That in case any person suffering with tuberculosis fails or refuses to follow the procedure and precautions specified in section 7 of this ordinance, or who fails to comply with any of the provisions of this ordinance applicable to tuberculosis patients, or who is so situated that their presence endangers the health of children, or who are liable to communicate this disease to others, then it shall be the duty of the city physician to remove or cause to be removed said patient to the local tubercular sanatorium situated in Shawnee County, Kansas, if in his opinion such patient can be better provided for at such sanatorium.

SEC. 9. The city physician shall have charge of the said tubercular sanatorium and he shall attend all patients in said hospital and shall have power to discharge any and all persons therefrom when in his opinion the safety of the public and such patients no longer require his attention.



SEC. 10. It shall be unlawful for any person to interfere with the city physician or his assistants in carrying out the provisions of this ordinance.

SEC. 11. When any person in the city of Topeka shall be afflicted with tuberculosis and is not attended by some other physician, it shall be the duty of the city physician to attend upon such person furnishing such medical attention as may be necessary.

SEC. 12. Upon the recovery of any person having tuberculosis it shall be the duty of the attending physician to make a report of this fact to the city physician, who shall record the same in the records of his office and shall relieve said person from further liability to any requirements imposed by this ordinance.

SEC. 13. It is hereby made the duty of the city physician to return to the State board of health on or before the tenth day of each month a copy of each report of tuberculosis received and recorded by him during the preceding month.

SEC. 14. Any person violating any of the provisions of this ordinance, except section 5, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$5 nor more than \$50.

#### TRENTON, N. J.

#### Communicable Diseases—Quarantine in Case of an Epidemic. (Ord. Dec. 27, 1918.)

1. Whenever the board of commissioners shall declare, by resolution, that any infectious or contagious disease has become epidemic in the city of Trenton, or in any part thereof, a quarantine shall be maintained in the city or in any such part thereof as the board shall declare to be in quarantine, for the purpose of preventing the introduction or spread of any such diseases.

2. Whenever any such quarantine has been established in the city or in any part thereof such board shall make and enforce such general or special orders from time to time that it may deem proper and necessary for the purpose of preventing the introduction or spread of any such disease; any such special order shall be duly authenticated and served upon the person or persons affected thereby, either personally or by leaving the same at his place of residence or business, and any such general order shall be published once in a newspaper printed and circulated in the city, before the same shall become effective.

3. Any person who shall disregard any such special order, after notice as aforesaid, or any general order, after publication as aforesaid, shall forfeit and pay a penalty not to exceed the sum of \$100, for each offense, and each day any order, special or general, shall be disregarded shall be taken as a separate and distinct offense.

## DRUGS.

### EAST CLEVELAND, OHIO.

#### Habit-Forming Drugs—Possession, Sale, and Dispensing. (Ord. 1193, Apr. 29, 1919.)

SECTION 1. That it is hereby declared unlawful for any person, firm, partnership, corporation, or institution in the city of East Cleveland, or any agent, employee, or representative thereof, to buy, sell, barter, keep, give away, dispense, prescribe, or administer, or to have in possession any opium or coca leaves or any compound, manufacture, salt derivative, or preparation thereof, except as hereinafter provided for.

SEC. 2. It shall be unlawful for any person, firm, partnership, or corporation in the city of East Cleveland to store, possess, or keep any of the drugs named in section 1 of this ordinance, unless the same are kept in a steel safe or in a secure place out of sight of customers or visitors, and unless every other reasonable effort is made to prevent theft, conversion, or making away therewith, except as hereinafter provided for. It shall be unlawful for any person, firm, partnership, or corporation in the city of East Cleveland to handle, haul, or carry any of the drugs named in section 1 of this ordinance, unless the same are wrapped up or boxed up so as to be out of sight, and unless the same are moved without unnecessary delays in transit, and unless every other reasonable effort is made to prevent theft, conversion, or making away therewith. It shall be unlawful for any person, firm, partnership, or corporation in the city of East Cleveland to have, possess, keep, or handle any prescription for any of the drugs named in section 1 of this ordinance, unless the same is kept out of sight and every other reasonable effort made to prevent theft, conversion, or making away therewith, except as hereinafter provided for.

SEC. 3. To the extent specified in subsections A, B, C, and D of this section, section 1 of this ordinance shall not apply to any regular wholesale or retail druggist, nor to any firm, partnership, or corporation engaged in the regular drug business, while the said persons or parties are acting in good faith and in accordance with all the regulations, rules, and instructions issued or that may hereafter be issued by the commissioner of health of the city of East Cleveland. This section shall apply only to persons who have never been convicted of violating this ordinance or any of the laws of the United States or of the State of Ohio pertaining to the drugs named in section 1 of this ordinance and who have not been notified in writing by the director of health of the city of East Cleveland that they are violating the spirit and intention of this ordinance, as provided for in section 9, subsection G, of this ordinance. This section shall exclude the persons named herein from the provisions of section 1 of this ordinance only to the following conditions:

SUBSECTION A. While any of the said persons or parties buy in the regular course of business any of the drugs named in section 1 of this ordinance.

SUBSECTION B. While any of the said persons or parties possess, keep, or handle any of the drugs named in section 1 of this ordinance in accordance with the provisions of section 2 of this ordinance.

SUBSECTION C. While any of the said persons or parties sell any of the drugs named in section 1 of this ordinance to a regularly licensed physician, surgeon, dentist, or veterinarian, who has never been convicted of or pleaded guilty to the violation of this ordinance or any of the laws of the United States or the State of Ohio that pertain to any of the drugs named in section 1 of this ordinance, or sell any of said drugs to a purchasing officer of the city of East Cleveland, or to the purchasing officer of a publicly owned hospital or sanatorium, or the purchasing officer of a privately owned hospital or sanatorium: *Provided*, That said privately owned hospital or sanatorium does not purport to cure persons addicted to the habit of using any of the said drugs, and does not treat persons for said drug habit, and has complied and continues to comply with all the regulations, rules, and directions issued or that may hereafter be issued by the director of health of the city of East Cleveland: *And provided further*, That the said person making the said sale shall notify the director of health not later than the 15th day of each calendar month, sending a written statement to said director of health on blanks supplied for that purpose by said director of health and giving him the name and address of each and every physician, surgeon, dentist, druggist, veterinarian, or privately owned hospital or sanatorium that shall have purchased any of the drugs named in section 1 of this ordinance in the previous calendar month and giving the amount of each of the said drugs purchased by each one of the said parties.

SUBSECTION D. While filling once at the time it is first received, a prescription for any of the drugs named in section 1 of this ordinance: *Provided*, That said prescription is made out by a regularly licensed physician, surgeon, dentist, or veterinarian who has never been convicted of or pleaded guilty to violating this ordinance or any of the laws of the United States or of the State of Ohio, that pertain to the drugs named in section 1 of this ordinance: *And provided*, Said prescription is presented to said druggist within five days after it is issued: *And provided further*, That said prescription shall be written plainly and very legibly in ink or indelible pencil and shall contain the date it was issued, the signature of the physician, surgeon, dentist, or veterinarian issuing it, the name and amount of the drug prescribed: *And provided further*, That there is present no evidence, indication, or ground for suspicion that the prescription has been stolen, forged, changed, altered either on the face of the prescription, or in the circumstances or conditions attending its being presented to the druggist: *And provided further*, That said druggist shall keep all prescriptions on file for the inspection and examination of the director of health or any assistant or subordinate he may send to examine the same for a period of two years.

SEC. 4. To the extent specified in subsections A, B, C, and D of this section, section 1 of this ordinance shall not apply to any regularly licensed physician, surgeon, dentist, or veterinarian, nor to a graduated or registered nurse acting under the immediate orders and supervision of a regularly licensed physician, surgeon, or dentist: *Provided*, That said physician, surgeon, dentist, veterinarian, or nurse has never been convicted of or pleaded guilty to violating this ordinance, or any of the laws of the United States or of the State of Ohio pertaining to the drugs named in section 1 of this ordinance and has not been notified in writing by the director of health of the city of East Cleveland that he is violating the spirit and intention of this ordinance, as provided for in subsection G of section 9 of this ordinance: *And provided further*, That the said physician, surgeon, dentist, veterinarian, or nurse complies with and obeys all the rules, regulations, directions and orders issued or that may hereafter be issued by the director of health of the city of East Cleveland.

SUBSECTION A. When the said physician, surgeon, dentist, veterinarian or nurse administers any of the drugs named in section one of this ordinance to a patient about to undergo a surgical or dental operation or service.

SUBSECTION B. When the said physician, surgeon, dentist, veterinarian or nurse administers any of the drugs mentioned in section 1 of this ordinance to a patient suffering from or afflicted with any sickness, malady, pain, fracture, disease, or ailment other than and apart from the habit of using said drugs, or a craving for any of them caused by the said drug habit.

SUBSECTION C. When the said physician, surgeon, dentist or veterinarian issues a written prescription for any of the drugs named in section 1 of this ordinance and does not fill the same himself nor permit it to be filled by any person who is his agent or employee: *Provided*, That such prescription is issued to provide any of said drugs for a person who is a bona fide patient of the physician, surgeon, dentist or veterinarian issuing the prescription and that said patient is suffering from or afflicted with some disease, sickness, malady, pain, fracture, or ailment other than and apart from the habit of using any of said drugs, or a craving for any of them caused by the said drug habit: *And provided further*, That said prescription is plainly and legibly written in ink or in indelible pencil and contains the date it is issued, the signature of the physician, surgeon, dentist, or veterinarian who issues it, the name and amount of the drugs prescribed, and the name and address of the patient for whom the drug is prescribed.

SUBSECTION D. When the said physician, surgeon, dentist, or veterinarian buys, keeps, or has in his possession in accordance with section 2 of this ordinance any of the drugs named in section 1 of this ordinance for the purpose named in subsections A and B of this section.

Sec. 5. To the extent specified in subsections A and B of this section, section 1 of this ordinance shall not apply to the proper officers of any publicly owned hospital or sanatorium, nor to the proper officers of any privately owned hospital or sanatorium: *Provided*, That said privately owned hospital or sanatorium does not attempt to cure or treat persons addicted to the habit of using any of the drugs named in section 1 of this ordinance and does not give, sell, prescribe, barter, or dispense any of said drugs to any persons addicted to the use thereof, and does not administer any of the said drugs to any person addicted to their use except as provided for in subsections A and B of section 4 of this ordinance. This section shall apply only to persons who have never been convicted of or pleaded guilty to violating this ordinance or any of the laws of the United States or of the State of Ohio pertaining to the drugs named in section 1 of this ordinance, and who have not been notified in writing by the director of health of the city of East Cleveland that they are violating the spirit and intention of this ordinance, as provided for in subsection G of section 9 of this ordinance; and it shall exclude the persons or parties named in this section from the provisions of section 1 of this ordinance only while said parties are acting in good faith, in accordance with the spirit of this ordinance, and in accordance with all the rules, regulations, and directions issued or that may hereafter be issued by the director of health of the city of East Cleveland.

SUBSECTION A. While any of said persons or parties buy any of the drugs named in section 1 of this ordinance for the purposes specified in subsections A and B of section 4 of this ordinance.

SUBSECTION B. While any of said persons or parties are keeping, possessing, or storing any of the drugs named in section 1 of this ordinance in accordance with the provisions of section 2 of this ordinance.

SEC. 6. Section 1 of this ordinance shall not apply to the director of health of the city of East Cleveland, nor to any regularly licensed physician, nurse, or other person in the employ of the division of health or of the division of purchases and supplies of the city of East Cleveland while acting in good faith within the scope of his employment and in accordance with all the orders and directions of the said director of health.

SEC. 7. Section 1 of this ordinance shall not apply to any police officer of the city of East Cleveland, nor to any officer, detective, or other employee of the United States or of the State of Ohio while acting in good faith within the scope of his employment, and under the orders and directions of his superior officer, and in accordance with all regulations, rules, and instructions issued or that may hereafter be issued by the director of health of the city of East Cleveland.

SEC. 8. Sections of 1 and 2 of this ordinance shall not apply to any preparation or remedy which does not contain more than 2 grains of opium, nor more than one-fourth of a grain of morphine, nor more than one-eighth of a grain of heroin, nor more than 1 grain of codeine, or any salt or derivative of any of them, in 1 fluid ounce, or if a solid or semisolid preparation, in 1 avoirdupois ounce: *Provided*, That such remedies or preparations are bought, sold, distributed, given away, or possessed as medicines and not for the purpose of evading the intention or provisions of this ordinance: *And provided further*, That not more than 1 ounce of paregoric shall be sold on any one business day to any one person except such persons as are specified in section 3, subsection C of this ordinance. Sections 1 and 2 of this ordinance shall not apply to decocanized coca leaves, nor to preparations made therefrom, nor to other preparations of coca leaves which do not contain any cocaine, so long as the manufacture and sale of these preparations are permitted by both the laws of the United States and the laws of the State of Ohio.

SEC. 9. The director of health of the city of East Cleveland is hereby authorized, empowered, and directed:

SUBSECTION A. To enforce this ordinance strictly and fully.

SUBSECTION B. To aid and assist the police in apprehending and convicting any and every person who violates any of the provisions of this ordinance.

SUBSECTION C. To aid and assist the police prosecutors and the country prosecutors in securing the conviction of all persons arrested and charged with violating any of the provisions of this ordinance.

SUBSECTION D. To issue from time to time such rules, regulations, orders, and directions for the buying, selling, prescribing, administering, dispensing, keeping, handling, hauling, or storing of the drugs named in section 1 of this ordinance, as he may deem necessary, proper, and consistent to carry out the purpose and intention of this ordinance.

SUBSECTION E. To notify all East Cleveland druggists, giving them the names of all physicians, surgeons, dentists, and veterinarians, and nurses who reside in Cuyahoga County or who have an office or place of business in the city of East Cleveland, and who have been convicted of or pleaded guilty to violating any of the provisions of this ordinance or any of the provisions of the laws of the United States or the State of Ohio pertaining to the drugs named in section 1 of this ordinance.

SUBSECTION F. To receive at his office and preserve there carefully all written statements filed with him in accordance with subsection C of section 3 of this ordinance.

SUBSECTION G. To notify in writing any druggist, or any firm, partnership, or corporation engaged in the drug business, or any physician, surgeon, dentist, veterinarian, or nurse that he is violating the spirit and intention of this ordi-



nance, and to order him to stop writing, issuing, honoring, filling, or receiving prescriptions for any of the drugs named in section 1 of this ordinance, or to stop buying, selling, handling, administering, or dispensing any of the said drugs.

SUBSECTION H. To notify the State medical board in writing, giving it the name of each and every physician who has been convicted of or has pleaded guilty to violating this ordinance or who has pleaded guilty or been convicted in Cuyahoga County of violating any of the laws of the United States or of the State of Ohio, pertaining to any of the drugs named in section 1 of this ordinance.

SUBSECTION I. To notify the State board of dental examiners in writing, giving it the name of each and every dentist who has been convicted of or has pleaded guilty to violating this ordinance, or who has pleaded guilty or been convicted in Cuyahoga County of violating any of the laws of the United States or of the State of Ohio that pertain to the drugs named in section 1 of this ordinance.

SUBSECTION J. To notify the State veterinarian in writing, giving him the name of each and every veterinarian who has been convicted of or has pleaded guilty to violating this ordinance, or who has pleaded guilty or been convicted in Cuyahoga County of violating any of the laws of the United States or of the State of Ohio that pertain to the drugs named in section 1 of this ordinance.

SUBSECTION K. To notify the State board of pharmacy in writing, giving it the name of each and every druggist or firm or partnership or corporation engaged in the drug business that has been convicted of, or pleaded guilty to violating this ordinance or that has pleaded guilty or been convicted in Cuyahoga County of violating any of the laws of the United States or of the State of Ohio that pertain to the drugs named in section 1 of this ordinance.

SEC. 10. It is hereby declared unlawful for any person to make any erasure, change, addition, or mark on a prescription made out in accordance with the provisions of subsection C of section 4 of this ordinance, except that the person filling the prescription may put on his serial number, and where the person writing the prescription has made some obvious error or omission, such that it would be a violation of this ordinance for a druggist to fill the same, the druggist may correct the error or supply the omission: *Provided*, Said druggist first communicates by telephone or otherwise with the person who wrote the prescription and obtains his approval to the changes: *And provided further*, That all such changes are made in red ink and signed in red ink by the person making said changes. It shall be unlawful for any person receiving a prescription for any of the drugs named in section 1 of this ordinance from a person authorized to make out such prescription, to sell or barter said prescription or to give it to, or permit it to come into the possession of, any other person addicted to the use of any of the drugs named in section 1 of this ordinance.

SEC. 11. Any person found guilty of violating any of the provisions of this ordinance shall be deemed guilty of committing a misdemeanor and shall upon the first conviction be sentenced to pay the costs of the case and a fine of not more than \$500 nor less than \$300; and upon the second conviction shall be sentenced to pay the costs of the case and a fine of \$500 and shall also be imprisoned in the workhouse for not less than 30 days nor more than 90 days; and upon any subsequent conviction shall be sentenced to pay the costs of the case and a fine of \$500 and shall also be imprisoned in the workhouse for 6 months.

SEC. 12. If any section or part of this ordinance shall be declared illegal it shall not affect the legality of any other section herein contained.

**JACKSONVILLE, FLA.****Habit-Forming Drugs—Sale and Dispensing to Addicts—Registration of Addicts. (Ord. P-1, July 17, 1919.)**

SECTION 1. No druggist or physician in the city of Jacksonville qualified to purchase, sell or prescribe under the laws of the United States any narcotic or habit-forming drugs shall give or sell the following substances or fill any prescriptions for laudanum, opium, paragoric, or other preparations of opium, cocaine, codeine, morphine, or heroin, or any of their salts or derivatives, to any person who is addicted to the habitual taking of said drugs or preparations unless such person shall present a certificate of registration from the city health officer. This certificate shall fully describe and identify the holder and give his or her place of residence and also state the reason for which the drugs are used. A duplicate copy of said certificate shall be kept on file by the city health officer.

SEC. 2. It shall be unlawful for the city health officer to issue any certificate of registration to any person addicted to the habitual taking of such habit-forming drugs and prescriptions unless it can be shown after consultation with some reputable qualified physician that the use of these drugs are essential to the health, welfare, or life of the person applying for registration. The city health officer or his duly qualified deputy or agent may inspect any narcotic prescriptions on file in any drug store at all reasonable times.

SEC. 3. Any person violating any provisions of this ordinance shall be punished by a fine of not more than \$200 for each offense or by imprisonment not exceeding 90 days.

SEC. 4. Sections No. 1263 to No. 1267, inclusive, of the city code of Jacksonville, 1917, being in conflict with this ordinance are hereby repealed.

**KANSAS CITY, MO.****Drug Addicts—Treatment. (Ord. Aug. 8, 1919.)**

SECTION 1. No person, firm, or corporation shall, in Kansas City, Mo., undertake, attempt, or pretend to cure any person addicted to the use of drugs of such addiction or habit, or treat such person, or prescribe for such person, for such purpose, or treat or prescribe for such person for conditions resulting from the use of such drugs where the cure or treatment consists in whole or in part of administering or prescribing for such person any heroin, cocaine, codine, sulphonal, opium, or any of its salts, alkaloids, or derivatives, chloral, or any of them, or any compound or preparation of any of them, or any narcotic habit-forming drug, in any amount, unless the person administering or prescribing any of the aforesaid drugs for such treatment in such cases is duly licensed by the State board of health to practice medicine in this State, and unless such person administering or prescribing such drugs for the aforesaid purpose (or the person, firm, or corporation employing him in such business, profession, or practice) shall have first procured a license so to do from the Board of Hospital and Health of Kansas City, Mo. Said board of hospital and health shall, before issuing such license, determine whether the applicant therefor is qualified to carry on such business, profession, or practice, and is undertaking to do so in good faith; and if after such license is issued said board of hospital and health, after notice and hearing, shall determine that such licensee is not qualified or is not carrying on such business, profession, or practice in good faith, said board of hospital and health shall revoke such license. No fee shall be charged

for the issuance of such license by the Board of Hospital and Health of Kansas City, Mo.

SEC. 2. If any person duly licensed by the State board of health to practice medicine in this State, but not licensed by the Hospital and Health Board of Kansas City, Mo., under the provisions of this ordinance, shall administer or prescribe any of the drugs herein described for anything other than the drug habit, or a condition resulting from the habitual use of such drugs to a person addicted to the use of any of the drugs described in section 1 of this ordinance, he shall report in writing to the Board of Hospital and Health of Kansas City, Mo., the administering or prescribing of such drugs within 24 hours after the giving or prescribing of the same, which report shall state the amount and kind, and for what ailment, and the person administering or prescribing any such drugs shall not again administer or prescribe any of the drugs described in section 1 hereof to such patient unless such subsequent administering or prescribing hereof shall be first approved by the director of health or such other physician as may be designated by the board of hospital and health for such purpose. The approval of such treatment, issued by such officer, shall continue not longer than 10 days from its date, and no renewal shall be for more than 10 days.

SEC. 3. The office and place of business, and all of the records, accounts, appliances, and supplies of every licensee licensed under this ordinance, shall be open to inspection by the director of health or by such other officer, inspector, or physician as may be designated for that purpose by the Board of Hospital and Health of Kansas City, Mo.

SEC. 4. This ordinance shall be construed as having been enacted under the police powers of Kansas City, and in furtherance thereof, and as such it shall be liberally construed for the effectuating of its purposes. The various provisions of this ordinance shall not be construed as interdependent.

SEC. 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall, upon conviction, be fined in a sum of not less than \$1 nor more than \$500, and each day's violation of this ordinance shall constitute a separate offense.

SEC. 6. This ordinance shall not be construed as repealing ordinance 22,373, approved March 26, 1915, or any part thereof, except in so far as this ordinance is in conflict with the provisions of said ordinance No. 22373.

## EXCRETA, HUMAN—SANITARY DISPOSAL OF.<sup>1</sup>

### ALTON, ILL.

#### Sewer Connections. (Ord. 1232, July 12, 1917.)

SECTION 1. In every case where a sewer is laid in any street in the city of Alton, Ill., it shall be the duty of the owners of all abutting property to connect their house drains and property with said sewer. And upon the failure, refusal or neglect of any property owner to connect his or her said property with the sewer laid in the street abutting said premises within 60 days after being notified so to do by the health commissioner, or city engineer of the city of Alton, Ill., said property owners shall be fined not less than \$5 nor more than \$25, and for each additional day that said property owner fails or neglects to comply with said requirement, he shall be subject to a further fine of \$2.

### ANACONDA, MONT.

#### Sewer Connections. (Ord. 350, Oct. 3, 1919.)

SECTION 1. The board of health of the city of Anaconda is hereby empowered and it is hereby made its duty in all cases where there is a public or district sewer in a street, alley, or highway in the city of Anaconda, to compel every owner or occupant of the lands, buildings or premises situated within 700 feet of such public or district sewer, whether such lands, buildings or premises are within the city of Anaconda or outside of the said city, to construct or cause to be constructed, a sufficient private sewer or drain pipe, which shall connect such lands, buildings or premises, and all vaults, privies, cesspools, water-closets, sinks, or pipes there or thereon used as a receptacle or conductor of filth, with such nearest public or district sewer (unless the connection is impractical by reason of the topography of the ground) by a private sewer or drain pipe, and the material used for the construction of such private sewer or drain pipe shall be substantially like that used for the public or district sewer, with which the connection is made. Such sewer connection must be made within 30 days of the time when notice shall be given by the health officer of the board of health of said city, to such owners or occupants, to make such connection.

SEC. 2. Any person or persons who live or reside within 700 feet of any such public or district sewer, whether he lives outside of the city limits or not, who shall erect or maintain, or suffer to be erected or maintained upon any premises owned or occupied by him, her, or them, any privy, cesspool, vault, water-closet, or sink within 700 feet of any public or district sewer within or belonging to the said city of Anaconda, shall make the said connection, when the same is required, as in section 1 of this ordinance, and no person or persons within three miles of the said city of Anaconda shall erect or maintain or suffer to be erected or maintained upon any premises owned or occupied by him, or her, or them, any privy, privy vault cesspool, water-closet, or sink within 70 feet of any public or district sewer, within or belonging to the city of Anaconda,

<sup>1</sup> See also Nuisances, p. 387.

whether the said sewer is in the city of Anaconda or beyond the limits of the said city, unless he shall make such connection, when required as herein provided.

SEC. 3. All vaults, water-closets, sinks or other fixtures on any land or premises within 700 feet of any public or district sewer in or belonging to the city of Anaconda, shall be required to be within the residence building of the person or persons owning or in the possession of such land or premises, and it shall be unlawful for any person or persons to have such water-closet, sink, or other fixtures on such premises, outside of such residence when within 700 feet of such public or district sewer.

SEC. 4. It shall be unlawful for any person or persons to erect or suffer to be erected or maintained upon any premises or land owned or occupied by him, her or them, any privy, privy vault, cesspool, water-closet or sink within 700 feet of any public or district sewer, within or belonging to the city of Anaconda, unless he shall construct or cause to be constructed a sufficient sewer or drain pipe, which shall connect such lands, buildings or premises, and all vaults, cesspools, water-closets or sinks there or thereon used as a receptacle or as a conductor of filth with such public or district sewer as in section 3 herein provided, whether such premises, lands or buildings are situated in the city of Anaconda or within 700 feet outside the limits of such city, which private sewer or drain pipe shall be for the purpose of draining such privy, vault, cesspool or sink, into such public or district sewer.

SEC. 5. This ordinance is intended to apply to all lands and premises outside of the city of Anaconda and within 700 feet of the said city of Anaconda.

SEC. 6. Every person or persons making any connection with any public or district sewer as herein provided, shall pay to the city of Anaconda the sum of \$10 for every vault, privy, water-closet, or fixture connected.

SEC. 7. It shall be the special duty of the city engineer to see that all work under this ordinance is properly done and all connections required to be made herein shall be under his immediate and direct supervision.

SEC. 8. Any person or persons violating the provisions of this ordinance or failing to comply with any of the provisions of this ordinance shall be guilty of a misdemeanor and shall be fined not less than \$10 nor more than \$300 for each offense.

#### **BIRMINGHAM, ALA.**

##### **Sewer Connections—Water-Closets and Sinks. (Ord. 659-C, Nov. 19, 1919.)**

SECTION 1. That section 1016 of the City Code of 1917, as amended by ordinance No. 645-C., be amended so as to read as follows:

SEC. 1016. That every dwelling house having a sewer which will drain the same, either in the front, side, or rear, must be connected with the sewer and must have at least one water-closet in the yard or house and one sink in house, or approved yard sink in yard, the same to be supplied with water, and where a yard closet and sink are used there shall be at least one such yard closet and sink to every 10 persons or less occupying such house. The emptying of any waste or impure water on the surface is prohibited.

#### **COLUMBUS, GA.**

##### **Sewer Connections—Construction, Maintenance, and Cleaning of Privies. (Ord. Oct. 5, 1918.)**

SECTION 1. That on and after the 1st day of January, 1919, it shall be unlawful for any person, firm, or corporation to construct, have, use, or maintain any



privy, vault, water-closet, or cesspool within the city of Columbus, and within the police district adjacent to said city, where the property on which said privy, vault, water-closet, or cesspool is located is adjacent to any street or alley wherein said street or alley is located a sanitary main or lateral sewer and a water main or lateral sewer and a water main or lateral connected with the city water system, unless said privy, vault, closet, or cesspool is properly connected with said sewer and water system so as to render the same sanitary: *Provided, however,* That no person, firm, or corporation shall be required to connect such privy, vault, closet, or cesspool with such sewer or water system unless such property shall by the city assessment exceed in value the sum of \$750.

SEC. 2. That on and after the 1st day of January, 1919, it shall be unlawful for any person, firm, or corporation to have, use, maintain, or permit to be used any privy, vault, water-closet, or cesspool within the corporate limits of the city of Columbus where sewer connection has not been made and can not be made with a public sewer, as provided in section 1 of this ordinance, unless said privy, vault, water-closet, or cesspool is constructed or rebuilt in accordance with the provisions of this ordinance, hereinafter provided.

SEC. 3. That on and after the 1st day of January, 1919, it shall be unlawful for any person within the corporate limits of the city of Columbus to throw out, deposit, or bury within the city limits any human excreta, solid or liquid, or to dispose of such substances in any manner other than in a properly sewered water-closet or sanitary privy, as hereinafter provided.

SEC. 4. The term "sanitary privy" as used in the preceding section shall be construed to mean one so built as to contain a privy box and metal container, which shall conform substantially to the following specifications:

(a) The privy box shall be of either the single or double type; the double type to be installed in any privy used by more than four persons.

(b) The privy boxes shall be constructed of sound, durable lumber and shall be fly tight.

(c) The single-type privy box shall be 22 inches long, 17 inches high, and 18 inches wide, all inside measurements; and shall be provided with one seat hole, to be 9 inches long, the front of which shall be about 4 inches from the front of the box.

(d) The double-type privy box shall be 40 inches long; have two seat holes, and otherwise similar to the single-type box.

(e) All privy boxes shall have eight 1-inch holes in the front of the box, 2 inches from the floor, and shall have an opening at the upper part of the back wall 4 inches square; all of these openings to be covered with galvanized-iron screen wire, at least 14 meshes to the inch.

(f) The top of the privy box shall be hinged with metal hinges so as to allow for the removal of the receptacles, and so as to fit flat on the top of the box at all other times.

(g) Each seat hole shall be provided with a cover or lid, hinged with two hinges so as to fall into place when not being used and which shall at all other times be kept so as to prevent the access of flies to the human excreta.

(h) A flue not less than 4 inches square shall extend from the opening in the back of the privy box, to 24 inches above the lowest point of the roof of the privy. The top of this flue shall be covered so as to prevent rain from entering the privy box, but shall allow the free egress of air for ventilating purposes.

(i) Under each seat hole shall be placed a galvanized receptacle, with straight sides 14 to 15 inches high, made of 24-inch galvanized iron. These receptacles shall be so placed as to catch the human excreta deposited in the box being held in place by strips of wood tacked to the floor.

SEC. 5. The health officer of the city of Columbus, or the duly constituted board of health control, is hereby empowered, in all cases where there is a public sewer in any street, highway or alley, to compel every owner or occupant of land, buildings or premises fronting or abutting on the street, highway or alley where such public sewer is located, to construct or cause to be constructed, a sufficient sewer or drain pipe, which shall connect such lands, buildings or premises and such privies, vaults, water-closets or cesspools to said public sewer, and said health officer shall have the power and authority, in all cases where there is a public sewer (as is stipulated in section 1 of this ordinance), to cause such connections to be made, and shall give the owner, or his or her agents or tenants notice, in writing, specifying the time when such drain must be completed.

SEC. 6. The city health officer, or his deputies and assistants, shall have the right to enter upon the premises drained by any house drain, or connected with any public sewer, at all reasonable hours, to ascertain whether the provisions of this, or any other ordinance in regard to house drains, or otherwise, have been complied with; and in case it should be ascertained that the provisions of this ordinance are not being complied with, he shall notify the owner of said premises, his agents, or tenants, to cause said drain or its attachments to be so altered, repaired, or reconstructed as to make them conform to the requirements of this ordinance.

SEC. 7. That the health officer, or other constituted health authorities shall prescribe such regulations, sizes, and methods of construction of privies so as to make them conform to such regulations as will be uniform in their application.

SEC. 8. That all sanitary privies in said city shall be kept in a cleanly condition, and so used that all human excreta deposited therein will fall into the receptacle provided for that purpose, and such receptacle shall not be permitted to be used as a container for wash water, garbage, or any refuse matter other than human excreta.

SEC. 9. All receptacles for sanitary privies, as provided in this ordinance, shall be furnished by the city of Columbus, and it shall be unlawful for any person to take, destroy, misplace, or misuse the same.

SEC. 10. That in order to carry out the spirit and intent of this ordinance, and that absolutely sanitary conditions may prevail, power and authority is hereby conferred upon the health authorities of the city of Columbus to employ a city scavenger, who shall be provided with the necessary vehicle, and whose duty it shall be to remove such privy receptacles and the contents thereof—such removal and cleaning to be done under such rules and regulations as may be prescribed by the board of health control—and for the services in removing such privy receptacles and contents the board of health control can make such rules, regulations, and charges against the property owners or tenants, using the same as may be necessary to cover the costs of such removal, and may require the fees for such service to be paid either monthly or quarterly in advance, as they may deem proper and advisable.

SEC. 11. That the board of health control may make such further rules, regulations, and requirements, in order to carry out the spirit and intent of this ordinance, as they may deem proper and appropriate for that purpose, and as will promote the good health of the city of Columbus and the inhabitants thereof and as will eliminate, as far as possible, all dangers to the public health which may arise by reason of any unsanitary conditions.

SEC. 12. That the construction, use, or maintenance of any privy, vault, water-closet, or cesspool contrary to the provisions of this ordinance is hereby declared

to be a common nuisance and dangerous to the public health, and may be abated as such nuisance in the methods provided by law for abating nuisances.

(a) That this ordinance shall be and the same is hereby declared to be of force and effect in the police district of the city of Columbus, as defined in the acts of 1902, page 377, approved December 2, 1902, as fully to all intents and purposes as the same is of force in the city of Columbus.

(b) That in connection with the sanitary privy installation the board of health control will provide for the operation of an adequate scavenger service to secure a sanitary collection, removal, and disposal of all privy receptacles at such intervals as are needed to keep same from overflowing, at least once every seven days.

(c) For the operation of such scavenger service the following charges shall be made: For cleaning each privy containing one can, \$2.25 per quarter in advance; for cleaning each additional can on same premises, 25 cents per quarter per can, payable in advance.

(d) No privy receptacle shall be allowed to become filled or overflowing. If scavenging of privy receptacle becomes necessary more often than provided for by the regular collection, it shall be the duty of the occupant to notify the board of health control or city health officer, make an additional payment of 10 cents for each can to be cleaned, and the extra collection will be made at a charge of 10 cents per can.

(e) That the scavenger fee and the extra cleaning fee shall be paid in advance by the occupant of the property, or the owners in case vacant or unoccupied property shall need scavenger service, to the city treasurer in the courthouse, or to an authorized inspector. And each quarter shall be understood to commence January 1, April 1, July 1, and October 1 of each year.

(f) That not more than four persons shall use, regularly a single privy can, and if more than four persons are using same, replacement of the box by a double privy can will be required.

(g) That any person or persons, firm or corporation, or the agent of any person, persons, firm or corporation, who neglects, fails, or refuses to comply with the provisions of this ordinance shall be deemed guilty of maintaining a nuisance and shall be subject to the penalty or penalties in this ordinance hereinafter provided.

Sec. 13. That any person or persons, firm or corporation, or the agent of any person, persons, firm, or corporation, who neglects, fails, or refuses to conform with the provisions of this ordinance, or should be convicted of any violation thereof in the recorder's court, shall be sentenced to pay a fine not exceeding \$100, or imprisonment on the city chain gang or other public works of the city, for a term not exceeding 60 days, either or both, in the discretion of the recorder.

#### DURHAM (CITY AND COUNTY) N. C.

#### Water and Sewer Connections. Privies—Licenses—Location, Construction, Maintenance, and Cleaning. (Reg. Bd. of H., Dec. 9, 1918.)

##### ART. 7. WATER-CLOSETS AND DRY CLOSETS.

SECTION 1. That every person, firm, or corporation owning a house and lot in the city of Durham, which lot abuts or adjoins a street or alley along which is a public sewer, shall, after notification by the superintendent of health, make water and sewer connections with his, their, or its house: *Provided*, Such owner can make sewer connections within 200 feet and water connections within 300 feet of said house: *Provided further*, No person shall be re-

quired to cross the private property of any other person to make such connections. Any person, firm, or corporation who shall fail and refuse to make such water and sewer connections within 15 days after such notification shall be fined the sum of \$1 for each and every day he so fails and refuses thereafter; and every day he so fails and refuses shall constitute a separate offense and shall subject the owner of such house to like penalty.

SEC. 2. No surface closets or surface urinals shall be allowed within the fire district.

SEC. 3. It shall be unlawful for the owner of any lot or premises within the city limits to use or maintain, or allow the use or maintenance on said lot by any other person, of a surface privy, closet, or urinal unless a license therefor shall have first been granted by the sanitary police. And the owner of any lot or premises on which is located a house in connection with which a surface privy is used shall pay the license tax hereinafter provided. Such license shall be issued to a person named, and for a specified lot, giving street and number, and shall date from the 15th day of June and run for a period of 12 months: *Provided*, If the owner of such license shall sell any lot for which license has been granted during the continuance of said license he shall, at his option, have the right to have such license transferred to the purchaser of such lot. A tax of \$3 for each house in connection with which a surface closet is used or maintained shall be paid to the sanitary police upon the issuance of such license, and the proceeds of said license tax shall go into the city treasury.

No person shall remove any excremental deposits from any lot or privy within the corporate limits through the streets of the city except under the direction and authority of the sanitary police.

The holders of licenses under this ordinance are hereby relieved from all responsibility concerning the removal of all excremental deposits from such surface privies, but shall be responsible for the cleanliness of said privies, and it shall be the duty of the sanitary police to see that all surface privies within the city limits are so regularly and properly cleaned, but excremental deposits shall be removed therefrom at proper intervals of time by the city and without cost or expense to the holders of such licenses.

The sanitary police shall provide suitable wagons and barrels for the purposes herein required, and shall employ such labor as is necessary to operate the same. Any member of the force so employed is hereby given authority to enter upon any lot within the limits of the city between the hours of 5 a. m. and 7 p. m. for the purpose of cleansing said privies and removing the excremental deposits therefrom.

Any person violating any of the provisions of this ordinance, or failing to comply with any provision thereof, or who shall in any manner hinder, obstruct, or delay any officer or agent of the city in the discharge of his duties herein required, shall be guilty of a misdemeanor, and, upon conviction, be fined not more than \$50 or imprisoned not exceeding 30 days.

SEC. 4. The health officer shall have full power and authority to require the owner, lessee, or agent of any improved real estate in the city or county of Durham (the term improved real estate shall be construed to mean all lots or parcels of land which have or may hereafter have erected thereon any dwelling house, storehouse, workshop, factory, schoolhouse, college, place of amusement, livery stable, hotel, railway station, wood and coal yards, and manufacturing establishments of every kind) to provide sanitary privy or water-closet accommodations upon such improved premises whenever in his judgment such improvements are necessary to the health of the occupants, or to protect the sanitary interests of the neighboring citizens. All top privies shall be built and located in such a manner that no person using them would be exposed to public

view. After 10 days' notice served upon the owner, lessee, or agent in charge of any such property by the sanitary police to make and provide such accommodations aforesaid, if such owner, lessee, or agent in charge shall fail to have the same made and provided he shall be guilty of a misdemeanor, and, upon conviction, shall pay a fine of \$10.

SEC. 5. No privy shall be built or maintained within the corporate limits of Durham until a permit has been issued by the board of health. Each privy built shall conform to the following specifications: It shall be at least 30 feet from any public street and as far from other residences or kitchens as it is from the residence or kitchen of the person or persons using it. It shall not be allowed across or connected with any street gutter, drain, or branch leading into any of the street gutters or across any lot or street within the city or within 15 feet of such gutter, drain, or branch. It shall be as far from any well as twice the depth of said well, and at least 7 feet from any fence or other obstruction. Whenever conditions are such that these specifications can not be conformed to, the location of privy shall be decided by the superintendent of health or sanitary police.

SEC. 6. It shall be unlawful for any property owner or his authorized agent to construct, maintain, or permit to exist on any property or properties under his control where sewer connection has not been made, a privy, unless the same be sanitary, or constructed as provided hereinbelow.

SEC. 7. A sanitary privy is one so built, rebuilt, or constructed that—

(a) The excreta deposited therein will not fall upon the ground, but into some water-tight receptacle, and

(b) The contents of said receptacle shall not be accessible to flies, fowls, and small animals at any time.

(c) The box part of said privy shall be constructed of sound lumber or concrete, all joints being made tight. Said box to be provided with a lid closely fitting, and the seat thereon to be covered with a self-falling hinged lid, so as to render said box fly proof.

(d) Proper ventilation of such box shall be provided by a horizontal series of holes of approximately 1 inch in diameter and 4 inches apart located in the front wall of the box  $1\frac{1}{2}$  inches above the floor of the box; and by a single hole 4 inches square located on top of the box, or at the center of the upper edge of the rear wall of the box, and connecting with a flue pipe of wood or iron having an inside diameter of at least 4 inches, said flue extending at least 1 foot over top of the privy house roof; flue pipe to be capped and securely supported. All ventilation holes to be covered with a good grade of copper wire screening of not less than 14 meshes to the inch, secured to the inside of the box by strips of wood.

(e) Such privies shall be so located as to be easily accessible to the scavenger for cleaning.

SEC. 8. The superintendent of health of the city and county of Durham shall prescribe by regulation proper sizes and methods of construction of such privies and such other details as will render this ordinance effective and its application uniform. All such privies must conform to such regulations.

SEC. 9. All sanitary privies in said city shall be kept in a cleanly condition at all times and so used that all excreta deposited therein will fall into the receptacle provided. Such receptacle shall be used only for the purpose of a toilet, and no waste water, garbage, or other refuse matter other than human excreta shall be deposited therein.

SEC. 10. No privy receptacle shall be permitted to become filled to overflowing. If emptying of privy receptacle becomes necessary oftener than once a



week, it shall be the duty of the occupant of the property to notify the city health officer and such privy shall be cleaned, and an additional charge of 10 cents will be made for each receptacle so emptied.

SEC. 11. All privies existing or maintained in said city after the date on which this ordinance takes effect which do not comply with the requirements of this ordinance or the regulations of the superintendent of health issued under this ordinance shall be, and are hereby, declared a nuisance, dangerous to the public health, and the city of Durham shall proceed to abate such nuisance in accordance with law or the ordinances of said board of health.

SEC. 12. The board of health shall have the further right to make, or cause to be made, such alterations or constructions to such privies as are nuisances as will render them sanitary, and the entire cost of such work shall be charged against the property owner maintaining the same. All such alterations or constructions are to be prescribed and approved by the city health officer.

SEC. 13. The health officer of the city of Durham, or a duly appointed inspector shall personally inspect all privies in the city of Durham as such inspection shall be deemed necessary by such health officer or inspector. The city health officer or any duly appointed inspector is hereby empowered to enter all premises in the discharge of this duty.

SEC. 14. It shall be unlawful for any person to fail or refuse to comply with the provisions of this ordinance, and upon such failure or refusal shall be guilty of a misdemeanor and, upon conviction, shall be fined as herein provided.

SEC. 15. No person shall throw or deposit any human excrement within the city at any place other than a privy or water-closet. Any person who violates any of the provisions of this ordinance or the regulations issued by the health officer, or any person who in any way obstructs the city health officer or his duly authorized agents, or the scavenger in the proper discharge of the duties prescribed in this ordinance shall, upon conviction, be fined in the sum of not more than \$50, and may be sentenced to hard labor for the city for a period of time not exceeding 30 days.

#### **Human Excreta—Sanitary Disposal. (Reg. Bd. of H., Dec. 9, 1918.)**

SECTION 1. Every residence and building within Durham County in which human beings reside, are employed, or congregate shall be required to have a sanitary method for the disposal of human excreta, namely, either a sanitary water-closet or a sanitary privy.

SEC. 2. No person shall dispose of in any sanitary water-closet or privy any material other than human excreta, paper, and disinfectant.

SEC. 3. All privies within Durham County not constructed and maintained in conformation with the provisions of these regulations shall be, and hereby are, declared a nuisance, dangerous to the public health of the inhabitants of said county, and shall be condemned and forthwith abated in accordance with law.

SEC. 4. The term "sanitary water-closet" as used in these regulations shall be construed to mean any flush-type toilet which is properly connected to a septic tank or sewer system of approved construction.

SEC. 5. The term "sanitary privy" as used in these regulations shall be construed to mean a privy which is so built, rebuilt, or constructed as to prevent excreta deposited therein from falling upon the ground and to render such excreta inaccessible to flies, fowls, and small animals.

SEC. 6. No septic tank or privy shall be constructed within Durham County without a permit from the health officer and unless the construction and location of such septic tank or privy be approved by sanitary officer or health officer.

SEC. 7. Every septic tank or privy constructed as hereinbefore provided shall be maintained by the person or persons, firm, or corporation occupying the property upon which such septic tank or privy exists, in such manner as to prevent excreta from falling upon the ground [and as] to render such excreta inaccessible to flies, fowls, and small animals.

SEC. 8. Every earthen pit or vault for the disposal of excreta shall be covered carefully and securely with earth when the contents have reached within 18 inches of the top, and the privy shall be moved to another location; vaults or receptacles required to be cleaned shall be emptied whenever filled and the contents shall be disposed of by removal to a remote and safe location and by incineration or burial in such manner as to prevent exposure of the excreta to flies, fowls, and small animals, and the contamination of water supplies.

### FORT WORTH, TEX.

#### Privies—Location, Construction, Maintenance, and Cleaning. (Ord. 619, May 7, 1918.)

SECTION 1. That every residence and building in the city of Fort Worth in which human beings reside, are employed, or congregate shall have a sanitary means for the disposal of human excreta, namely, either a sanitary water-closet or a sanitary privy.

SEC. 2. That it shall be unlawful for any person, firm, or corporation to own, maintain, or operate in the city of Fort Worth any privy or dry closet, for the reception of human excreta, unless said closet is built, rebuilt, or constructed as provided in section 5 of this ordinance.

SEC. 3. That it shall be unlawful for any person, firm, or corporation to deposit or to permit the deposit of any human excreta in any place in the city of Fort Worth in an insanitary manner, so as to cause potentially dangerous pollution of the soil with such matter, or to permit the spread of such matter by flies or other insects.

SEC. 4. That all buildings or other places in the city of Fort Worth, where human beings live, are employed, or congregate shall be provided with adequate sanitary toilets for the catchment or receiving of all human discharges, and for the sanitary storage and ultimate disposal of such matter.

SEC. 5. That the term "sanitary privy" as used in this ordinance shall be construed to mean a privy equipped with a privy box, which privy box shall conform to the following specifications:

(a) The privy box shall be made of durable seasoned lumber and shall be fly-tight.

(b) The privy box shall be of either one-can or two-can type. The two-can type shall be installed in all privies used by more than five persons.

(c) The two-can privy box shall be 40 inches long, 22 inches front to back, and 17 inches high (all inside measurements). The two-can type shall be provided with two seat holes.

(d) The seat holes shall be 11 inches long, 7 inches wide, the front of which shall be 3 inches from the front of the box. Each seat hole shall be completely covered with a self-falling lid, braced so as to prevent warping.

(e) The one-can privy box shall be 24 inches long, have one seat hole, and otherwise be similar to the two-can box.

(f) For each seat hole of every privy box a water-tight receptacle shall be provided. Such receptacle shall be of 24-gauge galvanized iron, be 15 inches in diameter and 14 to 15 inches in height, and shall be cylindrical in shape with straight sides and be provided with two suitable drop handles.

(g) The top of the privy box shall be hinged with metal hinges so as to allow for the removal of the receptacles, and so as to fit flat on the top of the box at all other times.

(h) The privy box shall be ventilated:

(1) By an opening 1 inch in width extending the full length of the front of the box, near the floor.

(2) By an opening 5 inches square in the top of the back wall of the box.

(3) By a flue 7 feet long and 4 inches square (inside measure) extending from the back opening to a point above the roof of the privy building. The top of the flue shall be covered so as to prevent the entrance of rain, but so as to allow the free egress of air. Both the openings for ventilation shall be covered with galvanized iron or copper screen wire securely tacked by strips to the inside of the box.

SEC. 6. That the cost of providing and of installing the privy box and receptacles shall be borne by the owner of the premises, but the extra cans and covers needed for use in operating the scavenger service and for replacing the damaged cans in the privies, shall be provided by the city.

SEC. 7. That the city authorities shall provide for the operation of an adequate scavenger service to secure a sanitary collection, removal, and disposal of the contents of all privy receptacles at least once each week. For the operation of such scavenger service the following charges shall be made: For cleaning each privy, \$1.50 per quarter in advance: *Provided*, That all privies containing more than one receptacle, a charge of \$0.25 shall be made for each additional receptacle, payable quarterly in advance. The charges set out in this section shall be paid by the owner of the premises to the city garbage officer.

SEC. 8. That all sanitary privies in said city shall be kept in a cleanly condition at all times and so used that all excreta deposited therein shall fall into the receptacles provided, and be protected from invasion by flies. Such receptacle shall be used only for the purposes of a toilet, and no wash water, garbage, nor any other refuse other than human excreta shall be deposited therein.

SEC. 9. That no privy receptacle shall be allowed to become filled or overflowing. If scavenging of privy receptacle becomes necessary oftener than herein provided, it shall be the duty of the occupant of the property to notify the city garbage office, and such privy shall be scavenged and an additional charge of 25 cents shall be made for each receptacle so removed.

SEC. 10. That all sanitary privies shall be so located as to be easily accessible for cleaning, and all persons duly authorized by the city commissioners to engage in such scavenger work are hereby empowered to enter all privies and premises in the discharge of their duty.

SEC. 11. That all privies in the city of Fort Worth which do not conform to the provisions of this ordinance, or the regulations of the city health officer issued under this ordinance, shall be and hereby are declared a nuisance, dangerous to the public health, and the city of Fort Worth shall proceed to abate such nuisance in accordance with law and the ordinances of the city.

SEC. 12. That the city shall have the further right to make or to cause to be made such alterations or construction of such privies as are nuisances as will render them sanitary, and the entire cost of such work shall be charged against the person creating or maintaining the nuisance. All alterations or constructions are to be prescribed and approved by the city health officer or his duly authorized agent.

SEC. 13. That systematic sanitary inspection of all privies in the city shall be maintained to determine that the privies are used, kept, and scavenged in a

sanitary manner, and it shall be unlawful for any person to interfere with the city health officer or his duly authorized agent or agents in the performance of this duty.

SEC. 14. That any person or persons, firm, or corporation, or the agent of any such person or persons, firm, or corporation, who neglects, fails, or refuses to comply with any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and when convicted shall be fined in the sum of not less than \$10 nor more than \$100, and each time such person or persons, firm, or corporation, or the agent of any such person or persons, firm, or corporation neglects, fails, or refuses to comply with any of the provisions of this ordinance shall be deemed a separate offense and punished as herein provided.

### LOUISVILLE, KY.

#### **Privies and Cesspools—Permits Required—Construction of Privies—Removal, Transportation, and Disposal of Human Excreta. (Ord. Oct. 6, 1917.)**

SECTION 1. It shall be unlawful for any person to dig or use, or cause to be dug or used, any privy vault or cesspool, or connect any plumbing with a cesspool, or build or cause to be built any privy house within the limits of the city of Louisville, except upon the written permission of the health department. All applications for such permits must be accompanied by a certificate from the city engineer to the effect that said premises do not abut upon a public sewer.

SEC. 2. When the premises do not abut upon a public sewer, and pending the establishment of such a sewer, the owner, agent, or occupant of the premises may, after securing the necessary permit, construct a sanitary privy, which, prior to installation, must receive the approval of the health department as to suitability, construction, and sanitary efficiency.

SEC. 3. A sanitary privy shall be one in which the human excrement is deposited in a mosquito and fly-proof receptacle kept in proper condition at all times, and from the 1st of April until the 1st of October shall be well sprinkled with lime at least twice each month.

SEC. 4. Excrement removed from sanitary privies shall be emptied only into the public sewers and in accordance with the requirements of the health department.

SEC. 5. It shall be unlawful for anyone other than a person or persons who have received a permit from the health department to empty or remove any portion of the contents of any privy vault, cesspool, or other contrivance for the collection of human excrement or transport the contents of any privy, cesspool, or other contrivance through the streets, highways, alleys, or other places in the city of Louisville.

SEC. 6. Any person or persons violating or assisting in the violation of any part or parts of this ordinance shall, upon conviction, be fined not less than \$10 or more than \$50, and each day's continuance of the violation shall constitute a separate offense.

#### **Privies and Cesspools—Prohibited When Sewer Connections Can Be Made. (Ord. Oct. 6, 1917.)**

SECTION 1. It shall be unlawful for any person to maintain a privy vault, cesspool, or similar contrivance for the reception of human excreta when the premises abut a public sewer.

SEC. 2. Any person or persons violating or assisting in the violation of this ordinance shall, upon conviction, be fined not less than \$10 or more than \$50.

## RALEIGH, N. C.

**Privies—Prohibited When Sewer Connections Can Be Made—Location, Construction, Maintenance, and Cleaning. (Ord. Mar. 11, 1919.)**

SECTION 1. That it shall be unlawful for any person, firm, or corporation to deposit or throw upon the ground, or bury, within the city of Raleigh, any human excreta, solid or liquid, or to otherwise dispose of such substances in any manner other than into a properly sewered water-closet, or a privy constructed in accordance with the provisions of this ordinance.

SEC. 2. That it shall be unlawful for any person, firm, or corporation owning or having an estate in any real property within the city of Raleigh to maintain or allow to be maintained upon his premises any surface closet or privy for the reception of human excreta, where said premises are contiguous to, or within 150 feet of, any street, alleyway, or other public thoroughfare through or under which runs a sewer and water line of said city.

SEC. 3. That it shall be unlawful for any person, firm, or corporation to construct, maintain, or permit to be constructed or maintained on any premises within the city of Raleigh where connection with a sewer line can not be had as hereinbefore provided, any surface closet or privy, unless the same be constructed and maintained strictly in accordance with the following plans and specifications, to wit:

Every surface closet or privy shall be built, rebuilt, or constructed so that it shall have not less than two metal receptacles for the catchment of excreta, which receptacles shall rest within a wooden, metal, or concrete box provided with a hinged lid having a seat hole for each receptacle, and with adequate ventilation, and so constructed as to prevent excreta disposed of therein from falling upon the ground or being accessible to flies, fowls, and small animals; and said receptacles and box shall comply in every detail with the following specifications:

The receptacles for the catchment of excreta shall be constructed of 24 gauge sheet steel, galvanized, with side drop handles and countersunk bottoms, 14 $\frac{3}{8}$  inches in diameter by 14 $\frac{1}{2}$  inches high. They shall be strictly watertight.

Where a wooden box is used, it shall be constructed of sound, well-seasoned lumber, free from knot holes and cracks, not less than 1 inch thick, and dressed at least on one side. It shall be accurately made and well nailed, and all joints shall be made tight. The inside dimensions of the box shall be not less than 22 inches wide by 40 inches long and 17 inches high. It shall be provided with a closely fitting lid which shall form the seat of the privy, which shall project over the outside surfaces of the front and sides of the box 1 inch, and which shall have nailed to its underside four wooden strips of about 1 inch square material which shall project into the inside of the box or around the outer edge of the box so as to prevent the lid from slipping on the box and in order to make fly-tight joints. This lid shall have seat holes approximately 7 inches wide and 10 inches long and elliptical in shape, the front edges of which shall be, when the lid is in place, not less than 1 $\frac{1}{2}$  inches from the inside surface of the front of the box. It shall be hinged so as to lift up to the rear when the cans are removed. Each hole in the lid shall be provided with a hinged cover, so constructed that this cover will fall automatically and remain closed when the seat is not in use. The cover shall be of dimensions sufficient to make it overlap the hole in all directions by at least 3 inches; it shall be cleated so as to prevent warping, and shall be provided with two metal hinges securely fastened



with screws. The box shall be ventilated in the following manner: There shall be a series of holes 1 inch in diameter, or an opening 1 inch in width, across the front of the box 3 inches from the floor. There shall also be a hole 4 inches in diameter located in the top of the box or in the center of the rear wall of the box near the top, to which there shall be attached with a tight joint a flue constructed of approximately three-fourths-inch sound well-seasoned lumber, or of a good grade of galvanized iron, of not less than 4 inches inside diameter, extending from the hole in the top or rear of the box to a point at least 1 foot above highest point of the roof of the privy building. This flue must be protected with a cap and be securely supported. All ventilating holes must be covered on the inside with a good grade of copper-wire screen of not less 14 meshes to the inch, secured to the inside of the box with strips of wood. Blocks of wood not less than 2 inches in thickness shall be nailed to the floor of the box in such manner as to hold the cans directly under the seat holes. Blocks of wood shall also be nailed to the wall of the privy building or the box in such manner as to prevent the seat covers from remaining raised when not in use.

Where a concrete box is used, it shall be accurately made according to the dimensions specified for the wooden box and shall be free from cracks or holes. It shall be provided with a tight-fitting lid and facilities for ventilation, constructed in the same manner as specified in the preceding paragraph.

Where the metal box is used, it shall be accurately made according to the dimensions specified for the wooden box, of heavy galvanized iron or steel, free of cracks or holes, and all joints shall be made tight. It shall be provided with a tight-fitting metal or wooden lid and facilities for ventilation, constructed in the same manner as specified for the wooden box: *Provided*, That a cylindrical metal box 17 inches high and not less than 21 inches in diameter, inside measurements, may be used for each receptacle, said box to be provided with a tight-fitting lid and facilities for ventilation, constructed in accordance with the specifications of the wooden box.

SEC. 4. That every privy or surface closet within the city of Raleigh shall be so located as to be easily accessible to the scavenger, and a convenient rear entrance or gateway to the premises, where practicable, shall be provided where the privy is fenced in, if said premises are contiguous to an alleyway.

SEC. 5. That it shall be the duty of the owner of any premises within the city of Raleigh, within 15 days from the service of a notice upon him, to construct and maintain upon such premises a water-closet properly connected to a city sewer as hereinbefore provided, or, if such connection can not be had, a sanitary privy or surface closet in strict accordance with this ordinance.

SEC. 6. The cost of the construction of every sanitary privy shall be borne by the owner of the premises. All cans for the reception of excreta shall be uniform in size and construction and shall be furnished to the property owner by the city of Raleigh at actual cost.

SEC. 7. No can shall be allowed by the owner to overflow. In the event that any privy constructed under the provisions of this ordinance shall prove inadequate for the taking care of excreta deposited therein for two weeks, it shall be the duty of the owner of the premises, upon 10 days' notice, to make the necessary additions to said privy to make it adequate, said additions to be made in strict accordance with the provisions of this ordinance.

SEC. 8. It shall be the duty of the city of Raleigh to remove the excreta from said privies not less than once in every two weeks.

SEC. 9. It shall be unlawful to use the receptacles in said privy for any other purpose than the reception of human excreta, and it shall be unlawful for any person other than the scavenger to disturb the receptacles or their contents.

SEC. 10. All privies within the city of Raleigh shall be kept in a cleanly condition and so used by the occupant of the premises that all excreta deposited therein will fall into the receptacles provided. In the event that it becomes necessary, to prevent an excess of odor, to use a deodorant, no lime, chlorinated lime, or other substance which will corrode metal shall be used.

SEC. 11. Any person, firm, or corporation violating the provisions of this ordinance shall be subject to a penalty of \$200.

### WAKE COUNTY, N. C.

#### Human Excreta—Sanitary Disposal. (Reg. Bd. of H., Mar. 19, 1919.)

SECTION 1. All privies, water-closets, septic tanks, cesspools, sewers, or other places within Wake County used for the disposal of human excreta not constructed and maintained in accordance with the provisions of these regulations shall be, and hereby are, declared a nuisance dangerous to the public health of the inhabitants of said county, and shall be condemned and forthwith abated in accordance with law.

SEC. 2. Every person, firm, corporation, association, or organization owner of, or having an estate in, any dwelling, factory, plant, building, structure, or improvement within Wake County, completed or in the process of construction, where human beings live, work, or congregate shall provide such premises with a sanitary means for the disposal of human excreta, in accordance with the provisions of these regulations.

SEC. 3. No person, firm, or corporation shall throw or deposit upon the ground or otherwise dispose of any human excreta in any place within Wake County other than in a sanitary water-closet or sanitary privy constructed in accordance with these regulations, except as hereinafter provided.

SEC. 4. No person, firm, corporation, association, or organization owner of, or having an estate in, leasing or renting any property within Wake County, or the agent of any such, shall permit the disposal of any human excreta on any property owned, leased, or rented by said person, firm, corporation, association, or organization in any place other than in a sanitary water-closet or sanitary privy constructed in accordance with these regulations, except as hereinafter provided.

SEC. 5. The term sanitary water-closet as used in these regulations shall be construed to mean any flush toilet which is properly connected to a sanitary sewer or sanitary septic tank the construction of which is approved by the Wake County Board of Health.

SEC. 6. The term sanitary septic tank as used in these regulations shall be construed to mean an underground tank or receptacle the walls and bottom of which are constructed of concrete or other impervious material, and of such size and arrangement that sewage discharged therein will be subjected to storage not less than 6 hours nor more than 12, and the effluent therefrom treated by subsurface filtration or disinfection, and the construction of which is approved by the Wake County Board of Health.

SEC. 7. The term sanitary sewer as used in these regulations shall be construed to mean an underground water-tight drainage system provided for the catchment and carrying away of human excreta and other wastes, and the construction of which is approved by the Wake County Board of Health.

SEC. 8. The term sanitary privy as used in these regulations shall be construed to mean a privy which is built, rebuilt, or constructed so as to conform to

one of the following types, and the construction of which is approved by the Wake County Board of Health:

- (a) Can type.
- (b) Concrete vault.
- (c) Septic tank, L. R. S.
- (d) Chemical type.
- (e) Pit type.

SEC. 9. No privy, water-closet, septic tank, or sewer shall be constructed within Wake County unless the construction and location of said privy, water-closet, septic tank, or sewer shall be approved by the Wake County Board of Health and unless a written permit be secured from said board.

SEC. 10. Every person, firm, corporation, association, or organization owner of, or having an estate in, any privy, water-closet, septic tank, or sewer shall maintain at all times the sanitary condition and construction of said privy, water-closet, septic tank, or sewer in such manner as to comply with the requirements of these regulations.

SEC. 11. The occupant of any property on which any privy, water-closet, or septic tank is situated shall so use said privy, water-closet, or septic tank that all excreta deposited therein shall fall into the receptacle provided and be protected at all times from invasion by flies.

SEC. 12. No privy shall be used for the reception of any wash water, garbage, or any refuse matter other than human excreta, paper, and disinfectant.

SEC. 13. When the contents of any earthen pit or vault used for the disposal of human excreta shall have reached within 18 inches of the top, the privy shall be moved to another location and the old pit or vault covered carefully and securely with earth.

SEC. 14. Vaults or receptacles for human excreta required to be cleaned shall be emptied whenever filled and the contents disposed of by removal to a safe location and by incineration, or burial in the soil, in such manner as to prevent the exposure of said excreta to flies and the contamination of water supplies.

SEC. 15. All regulations or ordinances, or parts of regulations or ordinances, heretofore passed by the board of health of Wake County, or any city or town within said county, in conflict with these regulations, are hereby repealed.

## YOUNGSTOWN, OHIO.

### Septic, Biological, and Sewage Treatment Tanks—Installation. (Res. Bd. of H., Sept. 5, 1917.)

SECTION 1. (a) *Permission to construct.*—Septic, biological, or sewage treatment tanks must be constructed and used where no public sewerage system is available or likely to become available within a reasonable time. Plans must be filed with the plumbing inspector, showing location of tanks and outlet connections with a description of the kind of soil at the outlet, and if these meet with the requirements of the ordinance permission will be granted the contractor to construct same upon payment of \$1 for inspection fee; the work to be left open until the inspector has been notified and the tank and connections inspected and approved.

(b) *Materials and capacity.*—All tanks of this kind to receive domestic sewage shall be constructed of materials impervious to moisture, and shall have a capacity of at least 4 cubic feet per capita tributary to the tank. Where unusually large volumes of laundry or other clear water are tributary to the tank, the capacity should be based on 1 cubic foot of space to every 20

gallons per day tributary to the tank. Surface and rain water leaders and cistern and other overflow pipes must not discharge into septic, biological, or other treatment tank or cesspool used for the disposal of sewage.

All tanks shall be constructed with the longest dimensions parallel to the direction of the flow, and with a depth equal or greater than the width. Both the inlet and the outlet shall be submerged below the level of the water in the tank. The tank shall be provided with at least one manhole and cover.

(c) *Effluent from tank.*—The liquid flowing from a septic tank shall be discharged into a leaching cesspool, drainage tile, or filter beds; the kind and condition of the soil at the outlet of the tank to govern the proper system of outlet discharge to be installed, this construction to be decided by the inspector of plumbing.

All tight cesspool compartments, septic and biological tanks must be cleaned out whenever the sludge contents of the tank shall occupy one-third of the cubic contents of the tank. The leaching compartment of the cesspool shall be cleaned out whenever the level of the liquid does not recede below a level of 5 feet from the bottom and is gradually rising. The sludge removed from these tanks or cesspools shall be hauled away and buried or burned in a crematory when such is available.

SEC. 2. Whoever violates the provisions of this resolution shall be fined not to exceed \$50 nor less than \$25.

## **FOODSTUFFS, EATING AND DRINKING PLACES, FOOD ESTABLISHMENTS, SODA FOUNTAINS, AND ICE-CREAM PARLORS.<sup>1</sup>**

### **ALLENTOWN, PA.**

#### **Eating and Drinking Places—Employees—Physical Examination—Certificates of Health—Cleaning of Utensils. (Ord. Sept. 19, 1919.)**

SECTION 1. That no person or persons, firm or corporation, or common carrier, operating or conducting any hotel, restaurant, boarding house, ice-cream parlor, soda fountain, barroom, buffet, wagon, carts, stands, or any other public eating or drinking place in the city of Allentown, Pa., where food or drink is prepared, cooked, mixed, baked, exposed, bottled, packed, handled, stored, manufactured, offered for sale or sold, shall employ or keep in their employ, in the capacity of cook, baker, butcher, waiter, waitress, dish washer, bartender, chambermaid, kitchen help, or other house servant, any person or persons who is or are suffering from trachoma, active tuberculosis of the lungs, open skin tuberculosis, syphilis, gonorrhea, chancre, open external cancer, barber's itch, or any other communicable disease.

SEC. 2. All persons engaged in the preparation, handling, serving, selling, or disposing of food or drink must file semiannually, with the department of health, a certificate of health signed by a qualified physician.

SEC. 3. Whenever required by the health officer, any person employed in any place in the city of Allentown, Pa., shall submit to a physical examination by such officer, or by some physician designated by such health officer, or by any qualified physician. If, as a result of such examination, said person shall be found to be affected with any infectious disease or with any venereal disease in a communicable form, such employment shall immediately cease and such person shall not be permitted to work in any such place until a certificate of health satisfactory to the department of health has been filed.

SEC. 4. All glasses, dishes, receptacles, or utensils furnished to a patron or customer must be thoroughly cleansed in a solution of hot water and soap before serving to another individual.

SEC. 5. That any person or persons, firm, or corporation who shall violate any of the provisions of this ordinance shall for every such offense, upon conviction thereof before the mayor, be summarily punished by a fine of not less than \$10 or more than \$100 for each and every offense, or be confined in the city lockup or county prison for a period of not less than 10 days or more than 30 days, or both, at the discretion of the mayor.

### **AUSTIN, TEX.**

#### **Food Establishments—Permits—Sanitary Regulation—Protection of Food-stuffs—Sterilization of Utensils. (Ord. May 30, 1918.)**

SECTION 1. The term "food products" as used herein shall include all articles used for food, drink, flavoring, confectionery, or condiment by man, whether

<sup>1</sup> See also Ice cream and confectionery, p. 240; Meat and meat-food products, p. 260; Milk and milk products, p. 308.



simple, mixed, or compounded. By "food-products establishments" as used in this ordinance is meant any place or establishment occupied, used, or maintained for the purpose of selling, offering for sale, exposing for sale, or keeping with the intention of selling any products, such as slaughterhouses, meat markets, butcher shops, fish markets, dairies, bakeries, confectioneries, ice cream factories, places for the handling, preparation, or sale of dairy products, or cooked or prepared foodstuffs, hotels, restaurants, grocery stores, fruit markets, vegetable markets, vegetable and fruit venders (peddling by wagon or otherwise), soda fountains, bottling works, and all similar businesses handling or having to do with foodstuffs. And also every room used for the purpose of any such business in the keeping, storing, manufacturing, preparing, handling, distributing, selling, serving, or offering for sale any meat, fish, or slaughtered poultry, meat products, bread, cakes, pastry, confectionery, milk, butter, or other dairy products, fruit, vegetables, groceries or other foodstuffs, whether raw or cooked or otherwise prepared or any liquid intended as food or drink for human beings, and also as herein provided to all places and premises connecting with any such rooms.

SEC. 2. No person, firm, or corporation shall establish, maintain, or operate any food-products establishment as described in section 1 of this ordinance without first having obtained a permit as hereinafter required.

SEC. 3. Any person firm, or corporation desiring a permit to establish, maintain, or operate a food-products establishment shall make written application to the mayor of the city of Austin stating the name and residence of the applicant, if an individual, or all the members of the firm if a partnership, or if a corporation the name of the corporation and the names and residences of the principal officers, and specifying the kind of business, also location and description of the premises where such food-products establishments is to be conducted. The city food inspector shall then make an investigation of the premises named and described in said application for the purpose of determining the fitness and suitability of such premises for a food-products establishment from a sanitary standpoint. Said food inspector shall then transmit to the mayor the said application, together with his or her recommendation for or against the issuance of a permit. If the mayor shall be satisfied that the applicant, or applicants, or its chief officers, if a corporation, is or are of good character and reputation, and that the premises where the food-products establishment is to be located are proper and suitable from a sanitary standpoint, he shall issue, or cause to be issued, a permit in accordance with such application. If the report of the food inspector shall be adverse to the issuance of a permit, the city council shall fix a day for a hearing thereon not less than 5 days nor more than 10 days from the date of the order for such hearing, and ample notice thereof shall be given to the applicant and he shall be given full opportunity to be heard upon his application for a permit. After such hearing the city council may grant a permit, or refuse to grant the same until the applicant meets or removes the objections upon which the council bases its refusal to issue the permit. In any event, the action of the city council shall be final in the matter.

SEC. 4. Every such applicant, upon compliance with the aforesaid requirements and the payment in advance to the city assessor and collector of taxes of the sum of \$1.50 for retail establishments and \$2.50 for wholesale establishments per annum, shall receive a permit under the corporate seal of the city of Austin, signed by the mayor and attested by the city clerk, which shall authorize the person, firm, or corporation therein named to establish, maintain, and operate the food-products establishment specified in the application at the place designated therein. Every such permit so issued shall expire on the 31st

day of December following the date of its issuance, but when issued after the 30th day of June the permit fee for the unexpired portion of the year shall be \$1 for a retail establishment and \$1.50 for a wholesale establishment.

SEC. 5. Every person, firm, or corporation to whom a permit is issued in accordance with the provisions of this ordinance shall immediately post said permit or cause the same to be posted, and shall at all times keep it posted in a conspicuous place within the premises where such food-products establishment is thereby authorized to be established, maintained, or operated.

SEC. 6. The city council may revoke any permit issued under this ordinance whenever it shall appear to its satisfaction upon the recommendation of the food inspector, or from any other source, that the person, firm, or corporation holding such permit is violating, or has violated, any of the provisions of the laws of the State of Texas or of the ordinances of the city of Austin relating to the carrying on of the business named in the permit: *Provided*, That no permit shall be revoked by the city council without a fair and full hearing thereon, as provided in section 3 of this ordinance: *Provided further*, That the revocation of such permit shall not be a bar to the prosecution of the offender in the corporation court for any violation of this ordinance.

SEC. 7. That any person operating a food-products establishment in the corporate limits of the city of Austin without a permit as required by this ordinance upon conviction shall be fined in any sum not exceeding \$200, and each and every day he shall operate such establishment without such permit shall constitute a distinct and separate offense.

SEC. 8. It shall be the duty of the food inspector, the city marshal, and the policemen of the city of Austin, whenever they find any person operating a food-products establishment without a permit as required by this ordinance, to report the same immediately to the city council, and also to the city attorney, and it shall be the duty of the city attorney to at once enter prosecution against the offender in the corporation court.

SEC. 9. That every building, room, basement, or cellar occupied or used as a food-products establishment shall be properly lighted, drained, plumbed, and ventilated, and conducted with strict regard to the influence of such conditions upon the health of the operatives, employees, clerks, or other persons therein employed, and the purity and wholesomeness of the food therein produced, handled, or offered for sale.

SEC. 10. The floors, side walls, ceilings, furniture, receptacles, implements, and machinery of every food-products establishment and all cars, trucks, and vehicles used in the transportation of food products shall at no time be kept in an unclean, unhealthful, or insanitary condition, and for the purposes of this ordinance unhealthful or insanitary conditions shall be deemed to exist if food in the process of manufacture, preparation, packing, storing, sale, distribution, or transportation is not securely protected from flies, dust, dirt, and all other foreign or injurious contamination; and if the refuse, dirt, and the waste products subject to decomposition and fermentation incident to the manufacture, preparation, packing, storing, selling, distributing, and transporting of food are not removed daily, and if all trucks, scales, trays, boxes, baskets, buckets, and other receptacles, chutes, platforms, racks, tables, shelves, and all knives, saws, cleavers, and other utensils and machinery used in moving, handling, cutting, chopping, mixing, canning, and all other processes are not kept thoroughly clean, and if the clothing of operatives, employees, clerks, or other persons therein employed are unclean; but the enumerations above shall not preclude prosecution and conviction under this ordinance for other

matters or things producing unhealthful or insanitary conditions in or about any food-products establishment.

SEC. 11. Floors must be without open cracks, and made of cement, brick, tile laid in cement, wood, or other suitable nonabsorbent material, and must be kept free from litter and accumulated dirt.

SEC. 12. Walls must be well plastered, wainscoted, or ceiled with metal or lumber, and ceilings must be well plastered or ceiled with metal or lumber, and all shall be oil painted or kept lime washed, and be free from cobwebs, grease, and accumulated dirt.

SEC. 13. Doors and other openings must be securely screened with not larger than 14-mesh wire gauze: *Provided*, That drug stores with soda fountains in connection therewith, which do not keep, handle, sell, or offer for sale candies except in unbroken packages, and which have and operate a sufficient number of electric fans to eliminate and prevent contamination from flies, shall not be required to have front door screens: *And provided further*, That the sufficiency and effectiveness of the operation of such electric fans shall at all times be determined by the city food inspector.

SEC. 14. Ice boxes, refrigerators, and cold-storage rooms must be free from foul and unpleasant odors, grease, or food particles, mold, or slime, and thoroughly cleaned at least once a week.

SEC. 15. All counters, tables, shelves, bins, drains, sinks, etc., must be without open cracks which permit accumulation of dirt, and must be kept thoroughly scrubbed and cleaned.

SEC. 16. All stoves must be kept free from accumulated grease, food particles, etc.

SEC. 17. Every building, room, basement, or cellar occupied or used for the preparation, manufacture, packing, canning, sale, or distribution of food, shall have toilet or toilet rooms separate and apart from and not directly opening into the room, or rooms, where the process of production, manufacture, packing, canning, selling, or distributing is conducted, but adjacent and convenient thereto. Such toilet rooms, including all fixtures, pipes, vent pipes, and other things connected therewith, shall be constructed in accordance with the present ordinances of the city of Austin relating thereto, and shall be thoroughly washed, scoured, and cleaned every day. Lavatories and wash rooms shall be adjacent to toilet rooms and shall be supplied with soap, running water, and individual or paper towels, and shall be maintained in a sanitary condition. Operatives, employees, clerks, and all persons who handle the material from which food is prepared, or the finished product, before beginning work and after visiting toilet, or toilets, shall wash their hands and arms thoroughly in clean water.

SEC. 18. A notice instructing employees, attendants, etc., to cleanse the hands thoroughly after visiting any toilet room shall be conspicuously posted in such room.

SEC. 19. Cuspidors for the use of operatives, employees, clerks, or other persons shall be provided whenever necessary, and each cuspidor shall be thoroughly emptied and washed out daily with a disinfectant solution and 5 ounces of such a solution shall be left in each cuspidor while it is in use. No operative, employee, or other person shall expectorate on the floor or side wall of any building, room, basement, or cellar where the production, manufacture, packing, storing, preparation, or sale of any food is conducted.

SEC. 20. No person or persons shall be allowed to live or sleep in any food products establishment.

SEC. 21. No employer shall require, permit, or suffer any person to work, nor shall any person work in a building, room, basement, cellar, or vehicle occupied or used for the production, preparation, manufacture, packing, storage, sale, distribution, and transportation of food who is affected with any venereal disease, smallpox, diphtheria, scarlet fever, yellow fever, tuberculosis, or any other infectious or contagious disease.

SEC. 22. All rooms used for the storage of food products must be fully protected by screens, and food products must be protected from rats, mice, roaches, and contaminating insects. Foods affected by dampness or odors must be elevated at least 4 inches from the floor in such storage rooms.

SEC. 23. The yard and premises occupied by a food-products establishment shall be well drained, and all back rooms, sheds, yards, or other places connected by any opening with such place of business shall at all times be kept in a clean and sanitary condition, free from filth, refuse, garbage, trash, and rubbish.

SEC. 24. All foodstuffs which are kept, prepared, or served to customers must have full protection from flies, dust, dirt, and insects by glass cases, wire screens, or other modern methods. All canned or preserved goods must be removed from the original package when opened.

SEC. 25. All garbage, waste, and refuse shall be kept in tightly covered receptacles and removed at least once daily.

SEC. 26. No live fowls or animals of any description shall be kept in any kitchen or room where foodstuffs are kept or handled.

SEC. 27. No wearing apparel, boots, shoes, or other personal effects shall be kept in any kitchen or place where food is handled or stored.

SEC. 28. It shall be unlawful for any person to sweep the floors of a restaurant, drug store, or any other place where food or drink is consumed on the premises, whenever a customer is present in such place and is in the act of eating or drinking, unless such sweeping is done with a preparation which shall absolutely prevent the raising and scattering of the dust from such sweeping. Furthermore, all food products must be completely covered with a suitable covering when such sweeping is going on, to prevent the deposit of dust on such food products.

SEC. 29. Any person or persons conducting or managing, or their agents, any food-products establishment where meals are served must sterilize in hot boiling water all plates, cups, saucers, knives, forks, spoons, and such other utensils as may be used in serving meals or drinks after being used and before permitting them to be used again: *Provided*, That the water in which said eating utensils are sterilized shall be changed every two hours: *Provided further*, That no napkins shall be furnished for use after being used once until laundered, and any person named in this section who violates the provisions thereof shall be fined not less than \$5 nor more than \$100 for each separate offense.

SEC. 30. No dish or glass or other receptacle that is chipped, cracked, or otherwise imperfect so as to render it incapable of being thoroughly cleaned shall be used in preparing, storing, or serving of food.

SEC. 31. Food served to customers and then returned to kitchen or serving room must not be served again. Old or melted ice cream or ice cream that has been returned shall not again be used in the preparation of ice cream.

SEC. 32. Milk, cream, and buttermilk shall always be kept at a temperature of 50° F. or less.

SEC. 33. The method of handling and dispensing milk and cream must be approved by the food inspector. Milk and cream dippers shall not be used.

SEC. 34. It shall be unlawful for any owner, agent, or lessee of a bakery making use of a portable oven to cover same with dirt, sand, or ashes, unless the same be protected by some proper covering to prevent dust flying about the room.

SEC. 35. The use of openings under ovens as places of storage for coke, coal, and ashes is prohibited, and the storing of fuel in baking shops is hereby prohibited.

SEC. 36. The floors of all bakeries must be scrubbed with soap and water once a week and scraped daily.

SEC. 37. All wagons, carts, or other vehicles used for the delivery or distribution of bread or other bakery products shall be constructed so as to prevent flies, dust, and other contaminating matter from entering such vehicle or upon its contents. At least once a week the delivery vehicle must be thoroughly scoured.

The delivery man must use a clean basket, tray, or other receptacle which is provided with a cover or some means of protecting the bread while it is being transported from the wagon to the customer.

SEC. 38. Smoking, snuffing, or chewing tobacco is forbidden in a bakeshop. A notice to this effect shall be posted in every bakeshop.

SEC. 39. No newspaper or soiled paper of any sort shall be used during the baking process or for wrapping articles designed for sale or delivery as human food.

SEC. 40. No fowls, pets, or animals shall be permitted in a bakery.

SEC. 41. It shall be unlawful for any person to display or store on the sidewalk or street any fruit or vegetable, unless such fruit or vegetable shall be kept at least 2 feet above such sidewalk or street and shall be fully protected from flies, bugs, or other insects and dust: *Provided, however,* That these last provisions shall not apply to such fruits or vegetables as have to be skinned, peeled, or cooked before use, excepting bananas that have been pulled or broken from the stem.

SEC. 42. No fruit, vegetables, or food of any kind shall be placed nearer than 2 feet from the floor within any such establishment, unless same shall be contained in sealed tin cans, closed wooden boxes, or closed substantial pasteboard boxes, and the provisions of this ordinance shall apply with equal force to orders of consumers being filled from any such establishment.

SEC. 43. No person shall be permitted to sweep the floor of or the walk in front of such an establishment without first sprinkling same with water or some preparation that shall prevent the raising and scattering of dust.

SEC. 44. No pets, fowls, or animals of any kind shall be allowed the freedom of such an establishment.

SEC. 45. All cured meats, sausage, cheese, and other prepared foods offered for sale shall be properly protected from flies and dust.

SEC. 46. The food inspector shall have full power at all reasonable times to enter into any building or place used or occupied, or suspected of being used or occupied, as a food-products establishment for the purpose of examining and inspecting the same, and it shall be unlawful for any person to refuse or deny the food inspector entry into such building or place for said purpose.

SEC. 47. Whenever the food inspector shall find any food-products establishment in an insanitary condition or not complying with all the provisions of this ordinance or violating, or having violated any of the State laws relating to pure food and sanitation, or any of the ordinances of the city of Austin relating thereto, he or she shall immediately report the same to the city council and to the city attorney, who shall at once institute prosecution against the person or persons so offending.



SEC. 48. If any section, subsection, sentence, clause, or phrase of this ordinance shall for any reason be held unconstitutional or invalid by the courts, such decision shall not affect the validity of the remaining portions of this ordinance; and the city council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase of this ordinance irrespective of the fact that any one or more of the other sections, subsections, sentences, clauses, or phrases might be declared unconstitutional and invalid.

SEC. 49. It is provided that the specific enumeration of the regulations herein shall in no manner relieve any person who handles or offers for sale any food product as herein defined from such other regulations as have been or may hereafter be enacted by the city council, nor shall same relieve any person to whom license is issued hereunder, or his agents and employees, from the obligations and penalties of such ordinances and such laws as may be enacted relating to sanitation and kindred matters.

SEC. 50. It is provided that the conviction of any person found guilty of a violation of any of the provisions of this ordinance shall in no wise affect the power of the city council to revoke any license issued hereunder; nor shall the conviction of any such person be a condition precedent to the suspension or revocation of any such license if such action be deemed necessary by the city council, after a full and fair hearing of the person so offending.

SEC. 51. This ordinance shall become effective and its terms and penalties shall be enforced after the expiration of 20 days from the full publication period thereof as required by the city charter.

SEC. 52. All ordinances and parts of ordinances in conflict with the terms of this ordinance are hereby expressly repealed, but all ordinances and parts of ordinances regulating food products and food-products establishments and relating to sanitation and kindred subjects not in conflict herewith are retained in full force and effect and shall be regarded as cumulative of this ordinance.

#### BOSTON, MASS.

##### Eggs—"Rot" and "Spot"—Denaturing. (Ord. H. Com., Sept. 6, 1917.)

That in all establishments where eggs are handled for food or mechanical purposes all "rot" and "spot" eggs shall be immediately placed in a water-tight metal container, provided with cover, containing a solution of carbolic acid of a strength of at least 5 per cent, or a denaturant of an equivalent strength, and therein denatured by mixing them thoroughly in a manner satisfactory to the health commissioner or his agents.

All said containers so used shall be plainly and conspicuously marked: "Eggs for mechanical purposes only: Not for food," in letters of uncondensed gothic type, not less than 1 inch in height.

##### Eating and Drinking Places—Sterilization of Utensils. (Reg. H. Com., Sept. 28, 1918.)

No glass, cup, spoon, fork, or other utensil used for the public sale or dispensing of liquids, beverages, drinks, food, or other refreshment, for consumption in or about the place of sale or dispensing, shall be again used unless the same be thoroughly cleansed and scalded with clean, boiling water, or otherwise sterilized.

## BRIDGEPORT, CONN.

## Restaurants—Sanitary Regulation. (Ord. Jan. 23, 1917.)

SECTION 1. The word "restaurant" as used in this ordinance shall be held to include all hotels and other public eating places.

SEC. 2. No person, firm, or corporation shall establish, maintain, or operate any restaurant in the city of Bridgeport without first having obtained a written permit from the department of health. Permits must be posted in a conspicuous place in the dining or eating room.

SEC. 3. All rooms used for the cooking and preparing of foodstuffs shall have floors and side walls so constructed as to exclude vermin, rats, and mice, and must be kept in a state of good repair.

SEC. 4. All restaurants shall be kept reasonably free from flies. The doors, windows, and other openings of such restaurants shall, from the 1st day of April to the 1st day of December, be fitted with self-closing wire-screen doors and wire window screens.

SEC. 5. All refrigerators and ice boxes used for the storage of food and drink shall be kept clean and sanitary and in good repair. The compartment used for the storage of ice shall be lined with some proper substance so as to be watertight. Waste water from refrigerators and ice boxes, refrigerated display cases, windows or counters, vats or tanks, or other containers used in refrigerating and storing food and drink shall discharge into an open water supplied properly with trapped sewer-connecting sink.

SEC. 6. All restaurants and their kitchens must be kept clean and sanitary at all times. Precautions must be taken to prevent nuisances from the dissemination of odors from keeping or handling of garbage. All odors and smoke from cooking must be disposed of, if necessary, by air shafts, fans, forced air, or other modern and approved methods.

SEC. 7. All restaurants shall provide, in places where foodstuffs are kept, prepared, cooked, served to customers, full protection from dust, dirt, flies, and vermin by means of glass cases, wire screens, and other modern and approved methods. Vermin and flies must be destroyed wherever found.

SEC. 8. All restaurants shall be equipped with covered metallic cans for retaining and keeping their garbage in a sanitary manner. The can or cans shall be kept in such place and manner as to preclude nuisances or contamination of food.

SEC. 9. Covered retainers shall be provided for cube and granulated sugar.

SEC. 10. Restaurants, kitchens, and other rooms connected therewith shall be provided with ample facilities for washing and cleaning all eating and cooking utensils, with a proper supply of hot and cold running water. A suitable overflow sink must be provided for this purpose.

SEC. 11. No common drinking cup shall be provided in or upon the premises of any restaurant. Drinking glasses must not be kept at the tank or ice cooler.

SEC. 12. All eatables purchased in sealed tin cans or containers shall immediately be removed from such tin cans or containers after such tin cans or containers are opened and contents exposed to the air.

SEC. 13. The use of cracked or chipped saucers, plates, or cups is prohibited. Inspectors of the department of health are given power to destroy such utensils whenever found in use.

SEC. 14. No utensils shall be used in the preparation, service, or sale of food or drink which is so badly worn, rusted, corroded, or in such a condition that it can not be rendered clean and sanitary by washing.

SEC. 15. All restaurants shall maintain for the use of cooks, helpers, and others engaged in the preparation and handling of foods sanitary toilet and washing facilities with towels and soap to enable those so employed to keep their hands and persons clean.

SEC. 16. All persons preparing or handling food or drink shall wear clean washable outer garments.

SEC. 17. All towels and cloths used by waiters, chefs, and other employees shall be clean and sanitary. Towels and cloths used for wiping tables and counters shall not be used for drying or wiping plates, glasses, or other utensils or be permitted to come in contact with any foodstuff.

SEC. 18. No persons or employee while on duty shall use tobacco or expectorate or discharge from the human body upon the walls, floor, or equipment of any such restaurant or kitchen.

SEC. 19. Toilets for employees or public use shall not be located in rooms used for the preparing or storing of food.

SEC. 20. No person who has a communicable disease shall work in any restaurant, and no owner, manager, or person in charge of any restaurant shall require, permit, or suffer such a person to be employed in such a restaurant.

SEC. 21. No person living in a home in which there is a case of communicable disease shall be allowed to work in any restaurant without a written permit from the city health officer.

SEC. 22. Any person, firm, or corporation who violates or fails to comply with any of the provisions of this ordinance shall on conviction be fined not less than \$5 nor more than \$25.

#### BRIDGETON, N. J.

#### Eating Places—Licenses—Sanitary Regulation—Inspection. (Reg. Bd. of H., July 10, 1919.)

SECTION 1. No building or part of any building or any place in the city of Bridgeton shall be used as a hotel, restaurant, café, or public eating house or place unless the proprietor thereof has obtained a license therefor from the board of health of said city. Every applicant for license shall file with the sanitary inspector of health of said city a written application, giving in such application the full name and address of the proprietor of the proposed hotel, restaurant, café, or public eating house or place, the name of the owner and location of the premises. Upon filing such application the sanitary condition of the premises and place therein described shall be inspected by the sanitary inspector, who shall keep a permanent record of such inspections. The sanitary inspector shall present to the board of health such application, together with statement of sanitary condition, with his recommendation. Such license shall be issued to the applicant by the sanitary inspector when authorized and directed by the board of health so to do, and upon the presentation of a receipt from the treasurer of this board, showing payment of the license fee. The license fee is hereby fixed and established at \$5 per annum. All licenses issued under this ordinance shall be in force for one year after the issuance of same unless sooner revoked.

SEC. 2. The owner, proprietor, and person in charge of any hotel, restaurant, café, or other public eating house or place in the city of Bridgeton shall, in conducting the same, comply with and conform to each and all the following rules and regulations, to wit:

(a) Every apartment or room in which food is served must be light, dry, airy, and properly drained, and all plumbing therein constructed must be in accordance with the rules and regulations of the city of Bridgeton.

(b) All rooms, apartments, and buildings used for the purpose of cooking and in the preparation of foodstuffs shall be used exclusively for such purpose, and the rooms or places set apart for the storage of foodstuffs shall likewise be light, airy, and properly ventilated.

(c) All rooms used for the cooking and preparing of foodstuffs shall have floors and side walls so constructed as to exclude vermin, rats, mice, and kept in a state of good repair. No dogs, cats, or other animals shall be allowed in said room. Said floor shall be smooth and constructed in such manner as to permit proper cleaning, and shall be kept in a sanitary state. The walls and ceilings of such apartments or rooms used for preparing foods shall be properly whitewashed, unless painted or finished in natural wood, as often as required by the sanitary inspector, but at least once in 12 months, and in all places along said walls where there is frequent contamination from use there shall be a lining of galvanized iron or other impervious material to the height of 6 feet. The furniture, tables, appurtenances, ranges, stoves, and all appliances in such rooms shall be so arranged and placed as to permit ready and easy cleaning on all sides, and all utensils, implements, furniture, and other appliances shall be kept and maintained in a clean and sanitary condition.

(d) No sleeping rooms, water-closets, privy vaults, urinals, ash pits, or coal bins shall be within the rooms or apartments used for the preparation of foods and cooking of food, or for its storage, nor shall they communicate directly with any such room.

(e) No wearing apparel, boots, shoes, or other wearing effects not being worn shall be kept in the kitchen, and a suitable place, separate from such kitchen, shall be provided for their retention; and where the number of persons employed in the preparation of food in any manner exceeds in number four there shall be provided a suitable dressing room in which to change their clothing.

(f) All restaurants shall maintain for the use of cooks, helpers, and others engaged in the preparation and cooking of food, cuspidors, ample and sanitary toilet facilities for each sex, and washing facilities, with towels and soap, to enable those so employed to keep their hands and persons clean.

(g) No person shall work or be employed in or about any restaurant or kitchen of same during the time a case of infectious or contagious disease exists at the place where he or she resides, nor thereafter until the quarantine has been removed and the premises disinfected. No person shall be employed in or about any such place at whose home there is a case of tuberculosis of the lungs without such person first obtain a permit in writing from the sanitary inspector, who shall not grant such permission unless he is satisfied that all precautions are taken so that infection therefrom shall not be spread.

(h) No person suffering from tuberculosis, ophthalmia, or any infectious or contagious disease, externally visible, or not, or any skin disease, shall be employed in or about any part of a restaurant or its kitchen, or handle any foodstuffs or products used therein.

(i) No person or employee shall expectorate or discharge from the human body, or any organ thereof, or in any method whatever, upon the walls, floors, or equipment of any such restaurant or kitchen thereof, nor upon any product or material that may be upon the premises.

(j) No employee in any way connected with the handling, cooking, or preparing of any foodstuffs or products in any restaurant or kitchen thereof shall engage at work or his particular duty following a visit to a water-closet, urinal, or toilet room to relieve a call of nature without first thoroughly cleansing his or her hands.

(k) All restaurants shall provide, in places where foodstuffs are kept, prepared, cooked, or served to customers, full protection from dust, dirt, flies, and vermin by glass cases, wire screens, and other modern methods, and shall cause the abatement and destruction of vermin and flies wherever found.

(l) All restaurants shall be equipped with covered metallic cans for retaining and keeping their garbage and waste in a sanitary manner, which shall be kept in such place and manner as will preclude nuisance and contamination of the kitchen and such rooms from odors and from all possibilities therefrom, and when necessary shall use disinfectants.

(m) All restaurant kitchens shall be provided with a storeroom or suitable place for the sanitary keeping of foodstuffs, and all refrigerators shall be thoroughly cleaned every three days in all parts and drained in a sanitary manner, but no refrigerator shall drain by direct communication with any sewer drain.

(n) All sweeping, dusting, and cleaning shall be done combined with sprinkling or other methods and by moist cloths to allay the dust, and during such sweeping, dusting, and cleaning all foodstuffs shall be protected by covering or otherwise from contamination thereby.

(o) Restaurants, kitchens, and other rooms connected therewith shall be provided with ample facilities for washing and cleaning all eating and cooking utensils and with a proper supply of hot and cold water, and no eating or drinking utensils soiled by use shall be used in the serving of food or foodstuffs in any manner without first being properly cleaned.

(p) All restaurants and their kitchens must be kept clean and wholesome at all times and precautions taken to prevent nuisance from the dissemination of odors and smells arising from the creating, keeping, or handling of garbage, and all odors, vapors, smells, smoke from cooking must be disposed of, and, if necessary, by air shafts, fans, forced air, or other modern and approved methods.

SEC. 3. It shall be the duty of the sanitary inspector to semiannually visit and inspect the hotels, restaurants, and eating houses, and to prepare duplicate score cards of such hotel, restaurant, and eating house. One score card is retained by sanitary inspector and the other posted in a conspicuous and public place in such hotel, restaurant, or eating house. Whenever the hotel, restaurant, or eating house inspected shall score a minimum total of 60 points or less, it shall be the duty of the sanitary inspector to forthwith report the inspection and score to the board of health.

SEC. 4. The score cards used by the sanitary inspector shall be printed in the following form:

*Score card—Inspection of restaurants and lunch rooms where foods are prepared or sold.*

Owner or lessee.....  
Address.....  
Trade name.....  
Location.....  
Date of inspection..... Inspector,.....

		Score.	
		Perfect.	Allowed.
EQUIPMENT AND CONSTRUCTION.			
Dining room.....		7	.....
Floors, smooth, tight, cleanable.....	0.5		
Allow only $\frac{1}{2}$ point for wood floor.....			
Walls, smooth, tight, cleanable.....	.5		
Ceilings, smooth, tight, cleanable.....	.5		
Light, natural, $\frac{3}{4}$ ; artificial, $\frac{1}{4}$ .....	1.0		
Ventilation, windows, $\frac{1}{2}$ ; local ventilation with fan, $\frac{1}{2}$ ; flue system, $\frac{1}{2}$ .....	1.5		
Tables, $\frac{1}{2}$ ; counter, $\frac{1}{2}$ ; shelves, $\frac{1}{2}$ .....	1.5		



Score card—*Inspection of restaurants and lunch rooms where foods are prepared or sold*—Continued.

	Score.	
	Perfect.	Allowed.
EQUIPMENT AND CONSTRUCTION—continued.		
Dining room—Continued.		
Sanitary water cooler.....	1.0	
Screens.....	.5	
Kitchen.....	9	.....
Floors, smooth, tight, cleanable.....	.5	
Allow only $\frac{1}{4}$ point for wood floors.		
Walls, smooth, tight cleanable.....	.5	
Ceilings, smooth, tight, cleanable.....	1.0	
Light, natural, $\frac{1}{4}$ ; artificial, $\frac{1}{4}$ .....	1.0	
Ventilation, windows, $\frac{1}{4}$ ; local ventilation with fan, $\frac{1}{4}$ ; flue system, $\frac{1}{4}$ .....	1.5	
Tables, 1; shelves, 1; drain board, 1.....	3.0	
Absence of crevices or ledges.....	.5	
Screens.....	1.0	
Apparatus and utensils.....	4	.....
Refrigerator, size, $1\frac{1}{2}$ ; arrangement, 1; good repair, 1.....	3.5	
Proper drainage.....	.5	
Washing facilities.....	9	.....
Running hot and cold water.....	2.0	
Tables covered with metal, 1; or hardwood, one piece, good repair, $\frac{1}{4}$ .....	1.5	
Drain boards covered with metal, good repair.....	1.0	
Wash basin, soap, towel (kitchen).....	1.5	
Dishwashing equipment, 2; if washed by hand and sterilized, 3.....	3.0	
Toilet facilities.....	6	.....
Location, for patrons.....	1.0	
For employees.....	1.0	
Good repair.....	1.0	
Wash basin, soap, and towel.....	2.0	
Screens and self-closing doors.....	1.0	
Total.....	35	.....
CLEANLINESS AND METHODS.		
Employees.....	16	.....
Apparently healthy.....	2.0	
Certificate of recent medical examination.....	7.0	
Cleanliness, garments, 1; where outer washable garments are used, 2.....	3.0	
Cleanliness of hands, 2; when rubber gloves are used in handling food, 4.....	4.0	
Dining room.....	4	.....
Floors, clean.....	.5	
Walls, clean and painted.....	.5	
Ceilings, clean and painted.....	.5	
Windows, clean.....	.5	
Linen, clean, $\frac{1}{4}$ ; food cases, $\frac{1}{4}$ ; water glasses, $\frac{1}{4}$ ; cooler, $\frac{1}{4}$ .....	2.0	
Kitchen.....	9	.....
Floors, clean.....	1.0	
Walls, clean and painted.....	1.0	
Ceilings, clean and painted.....	1.5	
Windows, clean.....	1.0	
Shelves, 1; tables, 1; racks, $\frac{1}{4}$ .....	2.5	
Sinks, 1; drain boards, 1.....	2.0	
Refrigerator, clean, 2; if foods are in order, separate compartments for meats and foods.....	3.0	
Garbage receptacles, top covered and outside clean.....	1.0	
Freedom from flies and insects.....	5.0	
Cellar, clean, $\frac{1}{4}$ ; yard, clean, $\frac{1}{4}$ .....	1.0	
Towels (dish and hand).....	2.0	
Toilet compartment.....	2.0	
Eating and cooking utensils.....	10	.....
Thoroughly washed.....	2.0	
Scalded with boiling water or sterilized after washing.....	6.0	
Protected from contamination.....	2.0	
Food.....	12	.....
Condition.....	5.0	
Protection from contamination.....	3.0	
Proper handling.....	2.0	
Milk properly protected.....	1.0	
Storage food.....	1.0	
Total.....	65	.....

Equipment and construction ..... Cleanliness and methods ..... Total scores .....

NOTE.—If any exceptionally filthy condition is found, the total score will be zero

*Score card—Inspection of restaurants and lunch rooms where foods are prepared or sold—Continued.*

DEPARTMENT OF HEALTH, BRIDGETON, N. J.

Notice served: Date, ....., 19... Inspector, .....  
 Notice .....  
 .....  
 Second inspection: Date, ....., 19... Inspector, .....  
 Remarks: .....  
 .....  
 Turned in for suit: Date, ....., 19... Inspector, .....  
 Remarks: .....  
 .....  
 .....

SEC. 5. Any person or persons or corporation offending against any of the provisions of this ordinance shall forfeit and pay a penalty of \$25.

CHICAGO, ILL.

**Stores and Other Places Where Foodstuffs Are Sold or Displayed—Dogs Prohibited. (Ord. Mar. 12, 1917.)**

SECTION 1. It shall be unlawful for the owner of or the person having the care or custody of a dog to suffer or permit such dog to enter any store, meat market, bakery, or other place where foodstuffs are sold or on display: *Provided*, That the person owning or operating such store or place may permit a watch dog to remain therein if chained or bound in such a way that such dog can not come in contact with any of said foodstuffs.

SEC. 2. Any person violating any of the provisions of section 1 hereof shall be fined not less than \$1 nor more than \$10 for each offense.

DURHAM (CITY AND COUNTY), N. C.

**Food Establishments—Sanitary Regulation—Physical Examination of Employees—Protection of Foodstuffs. (Reg. Bd. of H., Dec. 9, 1918.)**

SECTION 1. The term "food establishment" shall be construed to mean any place in which food or food products are manufactured, prepared, packed, stored, sold, or distributed, and shall include hotels, inns, restaurants, lunch counters, bakeries, bake shops, delicatessens, ice-cream plants, fruit stores, fruit stands, groceries, markets, ice-cream parlors, soda fountains, refreshment stands, confectioneries, bottling plants, and other similar places.

SEC. 2. Every building, room, basement, or cellar occupied or used as a food establishment, shall be properly lighted, drained, plumbed, and ventilated and conducted with due regard for the purity and wholesomeness of the food therein produced, sold, or stored, and with strict regard to the influence of such conditions upon the health of the operatives, clerks, or other persons therein employed. The term food used herein shall include all articles used by man for food, drink, confectionery, or condiment, whether simple, mixed, or compound, and all substances or ingredients used in the preparation thereof.

SEC. 3. The floors, side walls, ceilings, furniture, receptacles, implements, and machinery of every food establishment shall at all times be kept in a clean, healthful, and sanitary condition.

SEC. 4. Food in the process of manufacture, preparation, packing, and when stored, on sale, or offered for sale, must be securely protected from flies, dust,

and dirt; and food ready for consumption without further preparation, maintained, or offered for sale or exchange, shall be covered by some permanent means, such as glass, wood, metal, or other suitable material, in such a manner or means as to adequately protect same from flies, dirt, dust, or other contamination.

SEC. 5. All trucks, trays, boxes, baskets, buckets, and other receptacles, chutes, platforms, racks, tables, shelves, and all knives, saws, clevers, and other utensils and machinery used in moving, handling, cutting, chopping, mixing, canning, and all other processes, must be thoroughly cleaned daily, or oftener when deemed necessary for the preservation of health.

SEC. 6. The side walls and ceilings of every bakery, confectionery, hotel, and restaurant kitchens shall be well plastered, wainscoted or ceiled, preferably of metal or lumber, and shall be kept well oiled, painted, or limed washed, and all interior woodwork in every bakery, confectionery, hotel and restaurant kitchen shall be washed and cleaned with soap and water, and every building, room, basement, or cellar occupied and used for the preparation, manufacture, packing, storing, sale, or distribution of food shall have an impermeable floor made of cement or tile, laid in cement, brick, wood, or other suitable nonabsorbent material which can be flushed and washed clean with water.

SEC. 7. The doors, windows, and other openings of every food establishment during the period of April 1 to December 15 of each year shall be fitted with self-closing screen doors and wire window screens of not coarser than 14-mesh wire.

SEC. 8. The sleeping place or places for persons employed in such establishments shall be separate and apart from the rooms in which food products are manufactured, stored, or sold; and no person shall sleep in any place where flour, meal, or the manufactured products thereof are manufactured or stored.

SEC. 9. No domestic animals except cats shall be permitted to remain in any room used for the manufacture, storage, or sale of food products.

SEC. 10. Cuspidors shall be provided by the owner or proprietors for each room of every food establishment, and no employee or other person shall expectorate on the floors or side walls of any such food establishment. Plain notice forbidding such expectoration shall be posted in each place. No box, can, keg, or other container, whether with or without absorbent material, shall be used as a spittoon in any food establishment.

SEC. 11. In every food establishment where toilet facilities are provided same shall be kept at all times in a sanitary condition. Said toilet shall be separate and apart from any room used for the manufacture, storage, or sale of food products, and shall be of sanitary construction.

SEC. 12. Washing facilities ample for the use of employees shall be provided, and these facilities shall at all times be maintained in a clean and sanitary condition. Running water, soap, and individual clean towels shall be furnished those employed, and no employee in any way connected with the handling, cooking, or preparing of any food shall engage in work following a visit to the toilet without thoroughly cleansing his or her hands.

SEC. 13. Every proprietor, or manager, or other person in charge of a food establishment shall cause an examination to be made at least once each year by a reputable physician of all employees engaged therein. Said examination shall show that no disease of an infectious or contagious nature exists. It shall be unlawful for any proprietor or manager of any food establishment to employ any person to engage directly in the handling of foods until such an examination has been made and a copy of same has been filed with a duly appointed representative of the board of health.

SEC. 14. It shall be unlawful for any person to engage in the work of handling or dispensing foodstuffs in any food establishment while suffering from a disease of an infectious or contagious nature. The health officer shall be empowered to order an examination of any employee at any time that may be deemed necessary to determine if a communicable disease exists.

SEC. 15. All employees of food establishments shall be clean in person at all times, and all employees of restaurants, hotels, inns, lunch counters, ice-cream parlors and bake shops, delicatessens, soda fountains, markets, and similar places, when engaged in the preparation or dispensing of food, shall wear clean clothes and clean aprons.

SEC. 16. All food establishments shall be equipped with covered metallic cans for retaining and keeping garbage and waste in a sanitary manner, and so placed as to preclude a nuisance. It shall be unlawful for any person, firm, or corporation to deposit trash, waste, or garbage in any other place or container other than the metallic garbage can as above mentioned.

SEC. 17. All sweeping, dusting, and cleaning shall be preceded by sprinkling or other methods necessary to allay the dust in any establishment where foods are handled. It shall be unlawful for any person, firm, or corporation to deposit sawdust, shavings, or other like material on the floor of any restaurant, hotel, or lunch-stand kitchen or behind any soda fountain. The floors of all kitchens of food establishments shall be kept clean at all times, and same shall be scrubbed regularly with hot water and washing powder and soap.

SEC. 18. The floors of all food establishments other than the kitchens of restaurants, hotels, and lunch stands shall constantly be kept oiled in a manner to prevent dust, dirt, and other foreign material from accumulating and sticking to said floor. This section to apply only to food establishments where the floor is of wood construction.

SEC. 19. Cream, milk, or ice cream used or served in food establishments shall be procured from a source that is approved by the department of health, and shall be kept under refrigeration at a temperature not exceeding 55° F.

SEC. 20. All canned foods must be removed from their original container as soon as the cans are opened and shall thereafter be kept only in glass, china, or crockery vessels.

SEC. 21. The use of any common towel is prohibited in any food establishment. There shall be provided either sanitary paper towels, or individual towels which shall be laundered after each separate use.

SEC. 22. Butter received in the cake, mold, or print in any food establishment for the purpose of sale to consumers shall be efficiently wrapped with regulation butter paper in such a manner as to prevent contaminating agencies gaining access thereto. Likewise butter sold by any dealer, dairyman, or other person to a food establishment shall be wrapped with regulation butter paper unless said butter is sold in bulk.

SEC. 23. No common carrier shall permit fish, fresh meats, or other perishable foodstuffs to become exposed to contaminating agencies in or about any express office, freight station or depot, and it shall be unlawful for any of the aforesaid to permit boxes of fresh fish, fresh or cured meats, or any other food substance of a perishable nature to remain exposed to the sun or rain, but same shall be kept in the freight station, express office or depot until delivered to consignee. It shall further be required that any common carrier receiving fresh fish packed in ice, in boxes, barrels, or other containers not water-tight shall, in order to prevent such from becoming a nuisance and a menace to the public health, place all such boxes and barrels as aforesaid mentioned over an approved receptacle so that the water therefrom shall drain directly into the city sewer or other approved outfall.

**Soda Fountains and Ice Cream Parlors—Use of Paper Cups and Saucers Required—Sterilization of Spoons. (Reg. Bd. of H., Dec. 9, 1918.)**

SECTION 1. That it shall be unlawful for any person, firm, or corporation engaged in the business of selling soda or carbonated waters or other soft drinks and ice cream to the public at retail, to dispense or serve said drinks in any glass or other container other than individual sanitary paper cups; or to serve said ice cream in any glass or other container other than an individual sanitary paper cup or saucer; and that the spoons used in such places in connection with serving the public shall be sterilized by exposing same to the action of boiling water or live steam for a period of time of not less than three minutes; and such sanitary paper cups or saucers hereinbefore mentioned and prescribed after having been once used in the serving of said drinks or ice cream shall not be again used for either of said purposes.

SEC. 2. Any person, firm, or corporation violating the provisions of this ordinance, shall, upon conviction, suffer a penalty in the sum of \$10 for each and every offense.

**FLINT, MICH.****Eating and Drinking Places, Soda Fountains, and Ice Cream Parlors—Cleaning and Sterilization of Utensils. Ice Cream—Sale on Street. (Ord. effective Jan. 1, 1919.)**

SECTION 1. It shall be unlawful for any person to sell or offer for sale any foods, ice cream, soda water or other beverage unless the glass, cup, mug, dish, bottle, spoon, forks, or knives with which the same is served, shall since last used have been thoroughly cleansed and sterilized by boiling hot water or by live steam.

SEC. 2. No person shall maintain any hotel, restaurant, lunch room, eating place, soda fountain, stand, or any other place where foods, drinks, or beverages of any kind are sold for consumption on the premises unless the place be provided with adequate facilities for cleansing and sterilization of all cups, glasses, dishes, bottles, knives, forks, spoons, and other receptacles by the use of boiling hot water or live steam, to be approved by the health officer of the city of Flint.

SEC. 3. No person shall sell or offer for sale in any street, lane, alley, or other public place in the city of Flint any ice cream, in cones or in any manner unless such ice cream be contained in paper cartons or metal receptacles so that no part of such ice cream shall be exposed to the air and unless such cartons or receptacles shall have been filled or packed with such ice cream upon premises equipped with apparatus for sterilizing receptacles as required by section 2 of this ordinance.

SEC. 4. Any person violating any of the provisions of this ordinance shall on conviction thereof before any court of competent jurisdiction be punished by a fine not exceeding \$100, the cost of prosecution, or by imprisonment in the common jail of Genesee County for a period of not exceeding 90 days until such costs are paid.

SEC. 5. An ordinance entitled "An ordinance to license and regulate the sale of pop corn, peanuts, ice cream, candy, fruits, lemonade, and other refreshments in any street, lane, alley, or public place in the city of Flint," approved May 25, 1909, is hereby repealed.

SEC. 6. This ordinance is ordered to take effect on the 1st day of January, 1919.



**JACKSONVILLE, FLA.****Food and Drink Establishments—Screening—Protection of Foodstuffs—Sterilization of Utensils—Certificates of Health May Be Required of Employees. (Ord. O-29, Jan. 7, 1918.)**

SECTION 1. It shall be unlawful for any person, firm, or corporation to operate any hotel, boarding house, delicatessen, restaurant, lunch counter, ice cream or confectionery store or parlor, or soft-drink stand or fountain, bakery, or milk depot in the city of Jacksonville without keeping all doors, windows, or other similar openings where food or drink is prepared, stored, or served, and all passageways between the same, and hallways leading thereto, screened with wire netting with mesh sufficiently close to prevent admission of flies.

SEC. 2. It shall be unlawful for any person, firm, or corporation to sell, or offer for sale, fruit or food or confections for consumption in the raw state or which may be eaten without further cooking, at or from any vehicle, meat shop, butcher shop, market, grocery store, fruit store, or other place where food, fruit, or confections are offered for sale or gift without having such food, fruit, or confections securely screened by wire netting with mesh sufficiently close to prevent the admission of flies and further to be protected from dirt, dust, or contamination from any source whatsoever.

SEC. 3. That all dishes, glasses, cups, tableware, or other implements or utensils used to contain or convey food, drink, or confections as are commonly used by patrons in any hotel, boarding house, restaurant, lunch counter, delicatessen shop, ice cream parlor, soft drink or soda fountain, or confectionery store shall at all times be kept clean and sanitary and shall each time after being used be thoroughly cleaned and sterilized by methods to be approved by the department of health.

SEC. 4. It shall be unlawful for anyone suffering from any communicable disease to handle, prepare, serve, or dispense any food or food products, confections, ice cream, milk, ice, water, or other beverage in any market, fruit stand, candy store, hotel, restaurant, boarding house, bakery, delicatessen, lunch counter, ice factory, ice wagon, ice cream parlor, dairy, milk depot, soda fountain, or soft-drink establishment, or any other place where food, drink, or confections are prepared or offered to the public, either by sale or gift, and that whenever it be deemed necessary the city health officer may demand a certificate from some licensed physician showing the absence of any communicable disease in any person serving, preparing, handling, or conveying any food, drink, or confections, before any such person be allowed to engage or continue in the handling of any food, drink, or confection that is offered for sale or by gift to the public.

SEC. 5. Any person violating any of the provisions of this ordinance shall upon conviction be punished by a fine not exceeding \$5 for the first offense and not exceeding \$25 for each subsequent violation, or imprisonment not exceeding 30 days.

**LANSING, MICH.****Food Establishments—Licenses—Sanitary Regulation—Inspection—Physical Examination of Employees—Sterilization of Utensils—Protection and Sale of Foodstuffs. (Ord. effective May 21, 1919.)**

SECTION 1. No person, firm, or corporation shall engage in the business of conducting a food establishment in the city of Lansing without a license therefor as hereafter provided. For the purpose of this ordinance the words "food establishment" shall include restaurants, lunch stands, cafés, dining rooms, ice

cream parlors, public or private markets, stalls, shops, stores, storehouses, cold-storage plants, carts, wagons, or any other place or places in or from which meat, milk, ices, beverages, or any provision intended for human consumption is kept, handled, or stored: *Provided, however,* That this ordinance does not include dairies, creameries, ice cream plants, or milk plants, or any place where milk or milk products are handled exclusively. Nor does it include fraternal, religious, or social organizations who do not make a business of conducting a food establishment.

SEC. 2. Any person, firm, or corporation except common carriers desiring to conduct a food establishment as hereinabove defined within the city of Lansing shall make application in writing for permission to do so to the department of health of said city of Lansing upon blanks to be provided by said department. Said department shall require such applicant to state in writing upon said blanks:

First. The applicant's full name, residence, and post-office address, and whether such applicant is an individual, firm, or corporation.

Second. The location of applicant's place of business and a statement as to the kind of business, i. e., whether it is a grocery store, meat market, restaurant, etc.

Third. An agreement that said applicant will allow the health officer, sanitary inspector, or their assistants to inspect their establishment and everything in connection therewith at any time desired.

Fourth. The manner in which applicant intends to dispose of his goods, i. e., whether at wholesale or retail or both.

SEC. 3. Upon the signing of such application by the applicant, or some one duly authorized by him in writing, said department of health shall make or cause to be made an investigation to ascertain whether such applicant is in a position to observe and is willing to observe the terms or conditions of this ordinance. If it shall appear to said department of health, after such investigation, that said applicant is in a position to maintain a sanitary food establishment and furnish clean, pure, healthy, wholesome, and unadulterated food to his customers and is willing to observe the terms and conditions of this ordinance, if he is licensed so to do by said department of health, then said department shall indorse upon such application a favorable report and transmit the application to the city clerk of the city of Lansing, who shall issue a license to any person complying with the provisions of this ordinance upon payment to the city treasurer of the following fees: For engaging in the business of conducting a wholesale or retail food establishment after May 1, 1919, the sum of \$1 per year, or any part thereof, for each separate place of business. Any persons, firm, or corporation receiving a license in accordance with the terms of this ordinance are hereby exempt from paying the license fees for selling meat and milk as prescribed in other ordinances: *Provided,* That hucksters, peddlers, and venders must submit to the health and sanitary rules and regulations of this ordinance, but must secure a license and pay the fees prescribed in accordance with ordinances regulating hucksters, venders, and peddlers.

SEC. 4. That every person, firm, or corporation, who, as owner or manager, keeps, maintains, or operates any restaurant, lunch stand, café, dining room, ice cream parlor, public or private market, stall, shop, store, storehouse, cold-storage plant, cart, wagon, or any other place in or from which meat, fish, oysters, birds, fowl, vegetables, fruit, milk, ices, beverages, or any other provision intended for consumption by human beings is manufactured, held, kept, stored, or offered for sale, disposition, or other distribution as food for human beings, shall keep the same in a clean, sanitary, and healthful condition.

SEC. 5. That it shall be unlawful for any person or persons, including the owner or proprietor of any firm or corporation maintaining, operating, or managing any place of business as set forth in section 1, to suffer, permit, or allow any employee, officer, or agent employed or in any manner engaged therein or thereabout in the handling of any food product intended for human consumption to be or remain in an insanitary, filthy, or dirty condition, either as to person or clothing while so employed or engaged in the handling of such products intended for human consumption.

SEC. 6. That it shall be unlawful to sell, dispose of, transport, or deliver any meats, game, fish, vegetables, fruit, or prepared food, exposed for sale in open receptacles or broken packages, unless the same shall be kept not less than 2 feet above the floor of the building, shop, booth, stall, or other place where the same is exposed for sale, and unless the same shall be protected in such manner as to prevent handling by the public.

*Provided, however,* That any vegetable or fruit which is covered by a peel shall be exempt from the provisions of this section.

SEC. 7. That it shall be unlawful to sell, expose for sale, or other disposition any prepared food for human consumption, or any cheese, candy, bread, cakes, figs, dates, raisins, mincemeat, or other food in broken packages, unless the same shall be kept or stored in closed glass cases or other suitable containers and protected from dust, dirt, flies, insects, and dogs, cats, rats, and mice.

SEC. 8. That it shall be unlawful to sell, expose for sale, to dispose of, or deliver any sugar, honey, pickles, olives, sauerkraut, jelly, peanut butter, apple sauce, lard, or any like products intended for human consumption, unless the receptacles in which such product is contained shall be kept covered, and it shall be unlawful to sell or expose for sale or to dispose of any berries, grapes, lettuce, celery, or other vegetables, which vegetables are intended to be eaten raw, unless the same while so exposed be protected from contamination from flies and dust. It shall be unlawful to expose or dispose for sale any fruits, vegetables, or other food products intended for human consumption upon any box, table, shelf, or other structure on any street, sidewalk, alley, or public place, except in such places as have been or may hereafter be designated as public markets, and except in wagons or other vehicles from which foodstuffs are peddled by licensed peddlers, where license is required: *Provided, however,* That all foods so peddled shall be carefully covered with clean and sanitary covering and shall be protected from flies and dust.

SEC. 9. That it shall be unlawful to sell or offer for sale any contaminated, adulterated, or unfit food intended for human consumption, or any food which has been exposed to dust, flies, or vermin in violation of the terms of this ordinance.

SEC. 10. That it shall be the duty of the health officer, sanitary inspector, or their assistants to seize, condemn, or exclude from sale, delivery, or distribution in the city of Lansing any spoiled, contaminated, adulterated, or any food unfit for human consumption, or any food which has been exposed to dust, flies, or vermin in violation of the terms of this ordinance. It shall further be the duty of the health officer, sanitary inspector, or their assistants to destroy or denaturize all food condemned as unfit for human consumption and issue an order or statement to the owner of such food, stating the reason therefor.

SEC. 11. That it shall be unlawful to keep, maintain, operate, or conduct any kitchen or any restaurant, café, lunch stand, or any candy factory or ice-cream factory, or grocery store, fish market, meat market, bakery, or creamery, or any other place where food, milk, ices, or beverages are manufactured, prepared, or served, unless all of the doors, windows, or other openings shall be fitted with

proper screens, covered with wire not coarser than 12-mesh wire gauze, between May 1 and November 1 of each year, and all such screen doors shall be so hanged as to open outwardly and close tightly: *Provided, however*, That such screens may be omitted if electric fans are used or effectually used, and provided such electric fans shall effectually prevent flies from coming into such place of business.

SEC. 12. That it shall be unlawful to cause, permit, or suffer any decayed food or meat or vegetable matter of any kind to remain in any receptacle, ice box, or other compartment wherein any fruits, meats, vegetables, or other food intended for human consumption is kept for sale or other disposition.

SEC. 13. That it shall be unlawful to operate, maintain, or conduct any business where the process of production, manufacture, packing, canning, selling, or disposing of food products for human consumption is conducted in any building, room, basement, unless the person so owning, conducting, managing, or operating such business shall provide or cause to be provided a sanitary toilet approved by the department of health, which shall be located in a room separate and apart and not directly in connection with the room or rooms wherein any process of preparing food is conducted, and unless the floors of such toilet room shall be constructed of nonabsorbent material, and unless such room is ventilated directly to the outside air by means of a window or other form of ventilator approved by the board of health.

SEC. 14. That it shall be unlawful for any person, firm, or corporation to operate, maintain, or conduct any business where food intended for human consumption is prepared, manufactured, canned, or sold, or otherwise disposed of, unless there shall be provided in such building a room or rooms with ample supply of running water and soap, and unless the operatives, clerks, and employees, and all persons who handle material from which food is prepared, or handle the finished product, shall be required to keep themselves and their person and clothing in a thoroughly clean condition.

SEC. 15. That no cellar, basement, or room wholly or partly underground shall be used as a bakery or in the preparation or serving of food for sale or other disposition unless the floor, ceiling, and walls shall be constructed of tile, cement, or other material impervious to dampness or water, and unless such room or rooms or basement or cellar shall be provided with openings to the outer air and with proper ventilation, and unless the plumbing shall be maintained in a sanitary condition.

SEC. 16. That it shall be unlawful for any person to be employed in any restaurant, café, dining room, lunch stand, or any other place where meat, fish, game, oysters, fowl, vegetables, prepared or unprepared, milk, fruit, ices, beverages, candy, or other confection are manufactured, kept, sold, or offered for sale or otherwise disposed of during the time a case of infectious or contagious disease exists at the place where such employee resides, or during the time that such place is quarantined, or thereafter until the quarantine shall have been removed and such premises shall have been disinfected: *Provided, however*, If such person shall remain entirely away from such place, under direction of the health officer, during the time it is so contaminated or quarantined, he may remain engaged in his said employment.

SEC. 17. That no person shall be employed in or about any such restaurant, café, dining room, or lunch room, or any other place where meat, fish, game, oysters, fowl, vegetables, milk, fruits, ices, beverages, candy, or other confection are manufactured, kept, sold, or offered for sale or otherwise disposed of for human consumption, if at the place where said person resides there is a case of tuberculosis of the lungs, unless such person shall first obtain a certificate in

writing from the health officer of the city of Lansing, certifying that all precautions are taken in the handling of such case of tuberculosis and that no infection therefrom will be spread.

SEC. 18. That it shall be unlawful for any person, firm, or corporation to employ any person suffering from any communicable or other disease externally visible or not, or any skin or blood diseases, in any place where meat, fish, oysters, fowl, fruits, prepared vegetables or unprepared vegetables, milk, ices, beverages, candy, or other confections are manufactured, stored, kept, sold, or offered for sale.

SEC. 19. That it shall be unlawful for any person, firm, or corporation operating, managing, or in charge of any restaurant, café, lunch room, or dining room, ice-cream parlor, bakery, cracker factory, or transient booths, or any other place where meat, fish, game, oysters, fowl, vegetables, fruits, milk, ices, beverages, candy, or other confections are manufactured, sold, or served or otherwise disposed of, to employ any person or to allow any person, including the owner or proprietor, to be engaged in such establishment, unless such person shall submit to a physical examination, to be made by a reputable physician, approved by the board of health, when notified so to do by a representative of the said board of health.

SEC. 20. That it shall be unlawful for any person, firm, or corporation to permit, suffer, or allow any person, including the owner, proprietor, servant, agent, or employee, to live or sleep in any room or any bakeshop or any kitchen, dining room, confectionery, creamery, or other place, or in any room above or adjacent thereto which is not separated by solid partitions or floors, with no doors, windows, openings therein, where food for human consumption is prepared, manufactured, served, sold, stored, or otherwise disposed of.

SEC. 21. That it shall be unlawful to keep live chickens, ducks, turkeys, or other fowl in any cellar or basement underneath any grocery store, market, or other place where foods or foodstuffs are kept, prepared, sold, offered for sale, or otherwise disposed of.

SEC. 22. That it shall be unlawful to use any grinder, cutters, slicers, mixers, machine pans, or other tools or utensils used in and about the preparation or handling of meats, bread, cakes, candies, sirups, beverages, or other products used for human consumption, unless the same shall be thoroughly cleaned daily and shall be maintained in a sanitary condition and properly covered and protected while not in use.

SEC. 23. It shall be unlawful for any person, firm, or corporation to use any milk can, freezer, bottles, tools, machinery, implements, or containers used in handling or the preparation of milk or milk products unless the same shall have been sterilized by heat immediately after emptying or before being used, and shall be kept sterile from time of sterilization until such milk or milk products shall be placed therein. It shall be unlawful for any person, firm, partnership, or corporation, public or private, school, public building, hall, church, theater, picture show, market, playground, park, lavatory, drug store, soda fountain, store, hotel, restaurant, boarding house, office, office building, factory, manufacturing establishment, or other public place to furnish, provide, place, expose, or permit for public use in any such building or place within the city of Lansing any plate, cup, saucer, glass, or other receptacle, knife, fork, spoon, or other utensil which has been conveyed to or connected with the mouth of any individual in the consumption of any food, confection, beverage, or drink until such receptacle or utensil has been washed in an alkaline solution and sterilized by immersion in boiling water or by exposure to superheated steam: *Provided*, That in lieu of the above requirements or



where it is found impossible or inexpedient to use live steam or boiling water, paper cups or paper tumblers with individual spoons will be allowed for individual use only. The term "public use" is hereby construed to mean and include all receptacles or utensils used in common by the public or by more than one individual: *Provided further*, This regulation is not intended to include or apply to private dwellings.

The following rules must be observed at all soda fountains and restaurants:

RULE 1. In order that the sale of prepared meals, ice cream, sodas, and soda-fountain sundries may be conducted under sanitary conditions the operators of ice-cream parlors, soda fountains, and restaurants are hereby instructed that all such goods shall be dispensed only in sterile containers. To this end it is ordered that all soda fountains, ice-cream parlors, and restaurants be provided with facilities for the sterilization of dippers, glasses, spoons, serving dishes, and any other vessel or utensil coming in contact with any provision, ice cream, sodas, restaurant or soda-fountain sundries as hereinbefore specified,

RULE 2. Facilities for the sterilization of dippers, glasses, spoons, serving dishes, and any other vessel or utensil coming in contact with any provision, ice cream, sodas, or soda-fountain sundries shall include:

(1) An adequate supply of hot and cold water of a quality suitable for drinking purposes.

(2) Suitable arrangements for supplying boiling water or live steam.

(3) An adequate supply of clean towels for drying glasses, dishes, etc.

RULE 3. All dishes and utensils after each individual service shall be washed thoroughly in an alkaline solution and exposed to boiling water or superheated steam.

SEC. 24. That the power to enforce the provisions of this ordinance be, and the same is hereby, vested in the health officer and sanitary inspector of the city of Lansing and their deputies, and it shall be the duty of such persons to visit and inspect at frequent intervals every place where meat, game, fish, oysters, vegetables, fruits, or other foodstuffs, prepared or unprepared, and intended for human consumption, candies or other confections, milk, milk-food products, ices, beverages, and all carts, wagons, and other vehicles or venders and street hucksters in and from which any food for human beings is manufactured, kept, stored, prepared, or offered for sale or other disposition, and it shall be the duty of such officers to report to the board of health any violations of the terms or provisions of this ordinance: *Provided, however*, That all police officers of the city of Lansing are hereby vested with full authority to enforce the provisions of this ordinance.

SEC. 25. That the health officer and sanitary inspector of the city of Lansing shall have full power at all times to enter every building, room, basement, or cellar occupied or used, or which they have reasonable cause to believe is being used for the production for sale, manufacture for sale, storage, sale, distribution, or transportation of food for the purpose of inspecting the premises and the utensils, fixtures, furniture, and machinery used therein as aforesaid, and if, upon inspection any food-producing or distributing establishment, conveyance, employee, operative, employer, clerk, driver, or other person is found to be violating any of the provisions of this ordinance, or if the production, preparation, manufacture, packing, storing, sale, distribution, or transportation of any such food products is being conducted in a manner detrimental to the health of the employees and operatives or injurious to the quality and food value of such food therein being produced, manufactured, packed, stored, sold, distributed, or conveyed, the officer or inspector making such examination or inspection shall thereupon issue an order or rule to the person or persons in

authority or in charge or control of such place within such reasonable time as in his discretion he deems proper, and unless such person, firm, or corporation shall make such improvements as required by such order within the time so limited, it shall be the duty of the health officer or sanitary inspector to institute a prosecution against the person for the violation of this ordinance and to take the necessary steps and close the business of such person until such improvements and repairs shall have been made and approved by the board of health or their agents.

SEC. 26. That the following shall be the meaning of the words herein used:

The words "ventilation of rooms" shall consist of an opening to the outer air at each end of such room, or such other adequate ventilation which shall be subject to the approval of the health officer, sanitary inspector, or building inspector; said openings to be so placed as to produce a free circulation of air in such room, and shall be subject to the approval of the board of health.

The word "food" as used herein shall include all articles used for food, drink, condiment, whether simple, mixed, or compound, and all substances or ingredients used in the preparation thereof and intended for human consumption.

The word "restaurant" shall be held to include all hotels and eating houses of every description.

The word "person" shall include corporations and managing servants, agents, or employees thereof.

SEC. 27. That all ordinances in conflict with this ordinance are hereby repealed.

SEC. 28. That if any section of this ordinance shall be declared unconstitutional, the same shall not affect any other section of this ordinance and shall not affect the validity of the same.

SEC. 29. The city board of health may from time to time adopt such reasonable rules and regulations, not inconsistent with the provisions of this ordinance, as it may deem necessary to govern the sale of food and the inspection of food establishments.

Any person violating any of the provisions of this ordinance or any of the rules or regulations of the board of health passed in pursuance of same, shall, upon conviction thereof, be punished by a fine not exceeding \$500 or by imprisonment in the city jail, workhouse, county jail, or any workhouse in the State, authorized by law to receive prisoners, not to exceed 90 days, or by both such fine and imprisonment in the discretion of the court, and each day any person or persons shall violate the provisions of this ordinance shall be deemed a separate offense.

Licenses granted under the provisions herein may be revoked at the option of the board of health for a violation of any of the provisions of this ordinance or rules or regulations passed by the board of health in pursuance thereof, or for a breach of any of the agreements as contained in the application for a license, as above provided.

### LITTLE ROCK, ARK.

#### Food and Drink Establishments—Sanitary Regulation—Sterilization of Utensils—Certificates of Health from Employees. (Ord. 2488, Mar. 11, 1918.)

SECTION 1. From and after the passage of this ordinance it shall be unlawful for any person, firm, or corporation operating or handling<sup>1</sup> any places of business such as hotels, restaurants, lunch counters, soft drink stands, soda foun-

<sup>1</sup> Should read "to operate or handle."

tains, ice cream factories, milk depots, bottling works or other places where food or drink is manufactured, until they have first obtained a certificate from the city health department or the United States Public Health Service showing that said business is in a safe and sanitary condition.

SEC. 2. All employees engaged in any business mentioned above must be examined and certified as free from any contagious, infectious, or communicable disease. Each person engaged in any capacity in a business above mentioned must be vaccinated against typhoid fever and smallpox. The medical examination and vaccination required by this paragraph will be done free of charge by officers of the city health department. No new employees to be engaged until they have secured a certificate required by this paragraph. All employees to retain their certificates at all times so that they may be checked up by the inspector.

SEC. 3. No person shall engage in a business mentioned above or shall maintain on the premises, cart, wagon, stand, or shall prepare, store, handle, sell, offer for sale or give away, barter, or exchange any food or drink which is not clean, pure, and wholesome and suitable for human consumption within the broadest meaning of these terms.

SEC. 4. Each person engaged in a business mentioned above shall at all times maintain the premises of the place of business in a clean and sanitary condition. The place shall be well illuminated and ventilated, free from vermin, insects, foul odors, dust, dirt, accumulations of waste and refuse of all character.

SEC. 5. All food or drink maintained or offered for sale or exchange shall be covered by some permanent means, such as glass, wood, metal or pasteboard, or paper or other suitable material in such manner or means as to adequately protect it from flies, dirt, dust, or contamination. No covering other than that of fixed and permanent character will be recognized as conforming to the requirements of these regulations.

SEC. 6. All utensils used in the preparation, service, and sale of any food or drink shall be properly and adequately cleansed in an approved manner after being used, and no such utensil shall under any circumstances be used a second time unless it shall have been, after such use thereof, so cleansed. In such cleansing the use of water which has become unsanitary from previous use or water which has not been certified as safe and suitable for human consumption is prohibited.

SEC. 7. All persons engaged in a business mentioned above shall provide a toilet or toilets amply illuminated, ventilated, properly and adequately screened and otherwise made fly-proof, and connected with sewer and city water supply.

SEC. 8. All establishments mentioned above shall provide washing facilities, ample for the use of the employees, and these facilities shall at all times be maintained in a clean and sanitary condition. Running water, soap, and individual clean towels or paper towels shall be furnished those employed therein.

SEC. 9. All straws used at soda fountains and soft drink stands shall be kept in suitable containers to keep same in sanitary, cleanly, and safe condition, with the ends protected from dust and other promiscuous handling by employees and patrons.

SEC. 10. All bottled goods must be sold and served in the sealed containers and straws must be inserted in the bottle for the customer's use. The contents of the bottles must not be poured into a glass, except at a fountain equipped with approved method of washing glasses.

SEC. 11. No place where food is handled or sold shall be used as a dormitory, nor shall any part of place be so used.

SEC. 12. Persons engaged in a business mentioned above shall provide suitable metal receptacles for all garbage, refuse and waste. Such receptacles shall be ample in size and sufficient in quantity to meet the needs of the business, and provided with a tight-fitting metal cover. All garbage, waste, refuse, or other matter within the meaning of these terms shall be removed and disposed of in accordance with the requirements of existing regulations.

SEC. 13. The water supply for all places of business as above described shall be ample in quantity and obtained from a source approved as safe and suitable for human consumption. The water supply if drawn from the distributing system of the community or other source and stored in such places of business shall be drawn, stored, and maintained in such a manner as to preclude all possibility of pollution or contamination by any matter or by any means, which will render the water uncleanly in its broadest meaning or unsuitable for human consumption.

SEC. 14. When, after examination, the city health officer shall find any food or drink establishment as herein designated unsanitary or dangerous to the public health, the health officers of the city of Little Rock shall cite the person or persons in charge of, owning, or operating same to appear before the judge of the municipal court who, after hearing the complaint filed, shall make whatever order is necessary to cause said business to be immediately put into a safe and sanitary condition, or he may order same closed at his discretion until it has been shown that said business has been put into a safe and sanitary condition.

#### LOS ANGELES, CALIF.

##### **Cooked or Prepared Food—Sale—Protection. (Ord. 37985, Mar. 7, 1918.)**

SECTION 1. It shall be unlawful for any person, firm, or corporation to sell, expose or offer for sale, or to cause or permit to be sold, exposed, or offered for sale, in or upon any premises in the city of Los Angeles any article of food prepared for human consumption, including crackers, rolls, buns, biscuits, muffins, bread, cake, cookies, pies, candies, or cooked, smoked, or pickled meat or fish, cooked or pickled vegetables or fruit, salad, butter, cheese, or any article of food intended for human consumption, which article of food is cooked, smoked, or otherwise prepared and intended for human consumption without further cooking, washing, or other preparation, unless such article or articles of food are covered or inclosed by glass or with some other substance or material in such a manner as to prevent the handling of any such article or articles of food by any person or persons other than the person or persons selling, offering, or exposing any such article or articles for sale; to prevent the sputa or any other excretions from the mouth or nose of any person or persons from coming in contact with or being injected upon any such article or articles of food, and to prevent any such article or articles of food from coming in contact with any deleterious, unwholesome, or unhealthy substance or commodity: *Provided, however,* That the provisions of this section shall not apply, or be deemed or construed to apply, to any such food which is served, or intended to be served, for consumption upon any such premises, in the event that such food does not remain uncovered or uninclosed for a period of time exceeding two hours, and also in the event that such foods are not so exposed as to be within 3 feet of any person while eating.

SEC. 2. It shall be the duty of the health commissioner to enforce the provisions of this ordinance, and said health commissioner, or his deputies, are hereby empowered to enter during business hours any place where any such

article or articles of food as specified in section 1 hereof are sold, exposed, or offered for sale to enforce the provisions of this ordinance.

SEC. 3. It shall be unlawful for any person, firm, or corporation to refuse to allow the health commissioner or his deputies to enter any portion of any place where any such article or articles of food as specified in section 1 hereof are sold, exposed, or offered for sale, or to interfere in any manner with the examination or inspection by the said health commissioner or his deputies of any such place or any article or articles of food sold, exposed, or offered for sale therein.

SEC. 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than \$500 or by imprisonment in the city jail for a period of not more than six months, or by both such fine and imprisonment.

#### **Fish Canneries—Sanitary Regulation. (Reg. City Council, June 18, 1918.)**

1. No owner, proprietor, or manager shall require or permit any person to work, nor shall any person work in any cannery who is affected with any venereal disease, smallpox, diphtheria, scarlet fever, tuberculosis, trachoma, typhoid fever, dysentery, measles, mumps, German measles, whooping cough, chicken pox, or any other infectious or contagious disease.

2. The entire plant of all canneries must be adequately protected from flies. This requires the adequate screening of all doors, windows, and other openings of the buildings, as well as the inclosure with fly-tight material, of those branches of the industry that are carried on in the open.

3. All rubbish and other refuse must be removed daily in a manner satisfactory to the health commissioner, and all fly-breeding places in and about the premises must be abated. Measures must be taken for the destruction of all flies present on the premises.

4. Floors must be kept in a clean condition and free from accumulations at all times. All nonedible portions must be removed immediately from the rooms or places where edible products are being prepared, kept, or stored. Where wood floors are used it will be necessary to make them tight in order to prevent entrance of flies from below or the escape of offal and other refuse beneath the building. In no instance will the disposal of fish heads, scales, or other offal in such a way as to contaminate the bay or premises under or about the canneries be tolerated.

5. All racks, implements, and other utensils must be thoroughly cleaned at least daily, the washing from which must be disposed of in a sanitary manner. Regulations outlined in section 4 must be observed in this instance.

6. In every instance the reduction plant must be so separated from the remainder of the plant that there is no possibility of the contamination of the pack by its presence. This can be accomplished by the erection of dust-proof partitions or the adequate isolation of the plant. Fish meal must not be transported or stored through or in the cannery proper. Reduction plants are considered to be branches of the canning industry, and all of the above regulations referring to the latter are to be rigidly observed.

7. All canneries must be equipped with water-flush toilets and adjacent wash rooms. These toilet facilities must be tightly partitioned off from the remainder of the plant, vented to the outside air, with all openings tightly screened, and equipped with a self-closing door. Sanitary drinking fountains must be provided throughout the plant and paper towels and soap in the wash rooms.



8. Living quarters located on cannery properties must be equipped with water-flush toilets and sinks, all properly connected with a sewer. These living quarters and the surrounding premises must be kept clean and sanitary.

9. No spoiled, decayed or decomposed fish or other putrid matter shall be brought into a fish cannery, nor shall be allowed to remain upon the premises of any cannery.

#### LOUISVILLE, KY.

##### Fruits, Berries, and Vegetables—Protection. (Ord. Oct. 6, 1917.)

SECTION 1. No fruits, berries, or vegetables ordinarily eaten without cooking shall be kept, offered for sale, or given away at any place or transported within the city of Louisville unless so covered, screened, or otherwise protected from insects, contact with animals, and handling by the public. The placing of mosquito netting or similar material in direct contact with such fruits, berries, or vegetables shall not be considered covering, screening, or protection within the meaning of this ordinance.

SEC. 2. Any person or persons violating or assisting in the violation of this ordinance shall, upon conviction, be fined not less than \$5 nor more than \$50, and each day's continuance of the condition shall constitute a separate offense.

#### MACON, GA.

##### Eating and Drinking Places—Milk and Cream Used Must be Pasteurized. (Reg. Bd. of H., Sept. 12, 1917.)

That within 10 days from the passage of this ordinance it shall be unlawful for any person, firm, or corporation within the city of Macon maintaining a soda fountain, ice cream parlor, restaurant, lunch room, hotel, or any place where prepared foodstuffs are sold or served to the general public, to supply to their patrons any milk, cream, ice cream, or other foodstuffs in which fresh milk or cream is an ingredient, unless the said milk or cream has been pasteurized within 48 hours from the time of sale and has been kept after pasteurization at a temperature of not above 15° C., 59° F.: *Provided, however,* That ice cream properly packed and surrounded by ice may be sold as long as, but not longer than, 72 hours after manufacture.

That all ice cream factories supplying ice cream to be sold in restaurants, soda fountains, ice cream parlors, hotels, or other places where prepared foodstuffs are sold or served, shall use in the manufacture of such ice cream only such fresh milk and cream as has been pasteurized within a period of 24 hours before it is actually used in the manufacture of said ice cream.

That pasteurized milk in the city of Macon shall mean milk that has been brought to a temperature of between 60° and 65° C., 150° to 159° F., and maintained at that temperature for not less than one-half hour.

#### MOBILE, ALA.

##### Eating and Drinking Places—Cleanliness—Protection of Foodstuffs—Sterilization of Utensils—Employees. (Ord. July 22, 1919.)

SECTION 1. That all restaurants, hotel dining rooms, cafés, soda fountains, and other places where food, ice cream, frozen foods, ices, soda water, or other beverages are served and sold to the public, shall be kept clean and in a sanitary condition and kept free from flies, and all counters and tables from which or upon which any food, ice cream, frozen foods, ices, soda water, or other

beverages are sold or served shall be kept clean at all times, and the floors under and about such tables, counters, soda fountains, or other apparatus shall be kept clean at all times.

SEC. 2. That all kitchens or places in which the foods are cooked or from which foods are served in such restaurants or other public eating places shall be kept clean, free from flies, and in a sanitary condition.

SEC. 3. No person, firm, or corporation shall expose any fruit or green vegetables, intended for sale, unless the stand or bottom of the container is at least 18 inches above the level of the floor or sidewalk, and shall keep all such fruit, vegetables, candy, or other foods reasonably protected from dust, flies, other insects and animals.

SEC. 4. No plate, cup, glass, spoon, fork, knife, or any tableware used for serving beverages or food or drink or for use by individuals shall be used for such service unless it shall have been cleansed or sterilized as hereinafter provided: *Provided*, That it shall be lawful to use individual cups or containers or spoons which shall not be used more than one time.

SEC. 5. All eating and drinking utensils shall, after being used, be cleansed by thorough washing in a hot solution of soda or washing powder or soap, and rinsed in hot water or by sterilization.

SEC. 6. No person shall engage in serving or preparing for service any article of food or drink mentioned in section 1 hereof, unless he shall be clean in person and dress and free from communicable disease.

SEC. 7. Any person who shall violate any provision of this ordinance or who shall interfere with the health officer or any of his authorized agents in making inspections of any of the places mentioned in sections 1, 2, or 3 of this ordinance shall upon conviction be fined such sum as the recorder may impose not to exceed \$100.

#### MONTGOMERY, ALA.

##### **Fish—Sale on Streets or Sidewalks Prohibited. (Ord. Mar. 21, 1917.)**

SECTION 1. That it shall be unlawful for any person, firm, or corporation to peddle, sell, offer for sale or otherwise dispose of any fish on the streets or sidewalks of the city of Montgomery.

SEC. 2. Any person violating the provisions of this ordinance shall on conviction be fined not less than \$1 nor more than \$100.

#### NEW YORK, N. Y.

##### **Foodstuffs—Wrapping. (Reg. Bd. of H., June 24, 1919.)**

REG. 28. *Wrapping of food regulated and restricted.*—No person, for any purpose, shall, at any time, moisten with saliva, directly or indirectly, by spitting or by the use of fingers or utensils or accessories of any kind, any food or any wrapper in which food is placed or any label affixed to any such food or such wrapper.

##### **Oysters—Adulterated or Misbranded—Possession or Sale Prohibited. (Res. Bd. of H., Jan. 30, 1917.)**

*Resolved*, That article 9 of the sanitary code be amended by adding thereto a new section, to be known as section 171, to read as follows:

SEC. 171. *Oysters, sale of adulterated or misbranded, prohibited.*—No person shall bring into the city of New York, or have, sell, or offer for sale, oysters which are adulterated or misbranded.

Oysters shall be deemed adulterated:

(1) If, after removal from the shell, they have been subjected to a process whereby their solid content is decreased or their volume increased.

(2) If grown, floated, or cleansed in contaminated water so as to render them unfit for food.

(3) If they consist, wholly or in part, of diseased, decomposed, putrid, or rotten animal or vegetable substance.

(4) If they contain any antiseptic or preservative injurious to health.

(5) If they are floated in water of a lower salinity than the water in which they are grown.

(6) If any substance or substances has or have been mixed and packed with them so as to reduce or lower or injuriously affect their quality or strength.

Oysters shall be deemed misbranded:

(a) If they are labeled or branded so as to deceive or mislead the purchaser.

(b) If the container or its label shall bear any statement, design, or device, regarding the oysters or the other ingredients contained therein, which statement, design, or device shall be false or misleading in any particular.

**Foodstuffs—Keeping in Cold Storage—Time Limit. (Reg. Bd. of H., Dec. 31, 1918.)**

**SEC. 73.** *Time that cold-storage food may be kept.*—It shall hereafter be unlawful for any person, corporation, or corporations engaged in the business of cold-storage warehousemen or refrigerating, or for any person or corporation placing food in a cold-storage warehouse, to keep in storage for preservation or otherwise any kind of food or any article used for food a longer period than 12 calendar months.

**NEWPORT, R. I.**

**Foodstuffs—Protection. (Ord. June 26, 1917.)**

**SECTION 1.** Section 28 of chapter 25 of the ordinances of the city of Newport is hereby amended to read as follows:

**SEC. 28.** No dealer in fruit, vegetables, fish, shellfish, meats, or provisions shall, between the dates of May 1 and November 1, sell, offer or expose for sale, or have in his possession with the intent to sell for human food, any fruit, vegetables, fish or shellfish, meats, or provisions which are or have been exposed to contamination by flies. For the purpose of this section it is expressly provided that all stores and warehouses in which the above-mentioned food products are kept or exposed with the intent to sell shall have all windows and doors protected by tight wire screens with the exception of the front doors and front windows of such stores and warehouses, and that any fruit, vegetables, fish, or shellfish, meats, or provisions which may be eaten or consumed in a raw or uncooked state as human food, or which may be subject to contamination by flies, kept and exposed with intent to sell in or about such stores and warehouses, shall be protected by tight wire screens or glass, and that all barrows, carts, wagons, and other vehicles in which such food products are exposed for sale, stored, or kept with intent to sell, shall be provided with tight screens, which shall be kept closed at all times when such articles are not actually being removed or transferred from said barrow, carts, wagons, or other vehicles.

**Eating Places—Employees Required to Have Certificates of Health. (Ord. June 24, 1918.)**

**SECTION 1.** No person shall be engaged in the preparation or service of food in any licensed victualing house or tavern, or in the kitchen of any such victualing

house or tavern, in the city of Newport, unless such person shall have been examined by the city physician, the physician to the board of health, or some other physician designated by the board of health. After such examination, which shall be made annually and at such other periods as the board of health may from time to time designate, the board of health shall issue to such persons as shall have passed a satisfactory physical examination a certificate of good health, which certificate shall always be retained by the person to whom it is issued. It shall be the duty of the person to whom a certificate has been issued under the provisions of this section to exhibit the same to any official of the board of health upon demand.

Any person violating any of the provisions of this section shall be liable to a fine of not less than \$5 nor more than \$20, or be imprisoned for not more than 10 days, or both.

SEC. 2. The owner, proprietor, or manager of any licensed victualing house or tavern who suffers or permits any person without such a certificate of good health to be employed in any licensed victualing house or tavern, or in the kitchen of such licensed victualing house or tavern, owned, controlled, or managed by him, shall be liable to a fine of not less than \$5 nor more than \$20 for each offense, or be imprisoned for not less than 10 days, or both. The board of aldermen, shall, upon representation by the board of health that such owner, proprietor, or manager has violated the provisions of the preceding section, proceed to give such owner, proprietor, or manager a hearing, and the board of aldermen may, after such hearing, and upon proper evidence, revoke the license for such victualing house or tavern.

#### OMAHA, NEBR.

##### Foodstuffs—Protection. (Ord. 9633, June 21, 1917.)

SECTION 1. No food intended for human consumption and offered for sale to the consumers, shall be kept, sold, or displayed or transported through the streets of Omaha unless protected from dust, dirt, flies, and other forms of contamination; or shall any food intended for human consumption be displayed or allowed to remain within a distance of less than 2 feet from the surface of any sidewalk, street, alley, or other public place, where the same may be kept or placed for display or sale purposes, nor on the floor of any building where exhibited, unless the same shall be contained in boxes or other receptacles and kept under glass or other covering.

A strict interpretation of the provisions of this section shall be applied to stands, pushcarts, and open containers at all time, with a view to preserving a sanitary and healthful condition of the food, and no cover other than that of a fixed and permanent character will be recognized as conforming to the requirements of this ordinance.

Within the meaning of this ordinance, all candy stored, sold, or ordered for sale or display, or transported in or through the streets of Omaha, must be covered with a close covering, such as glass, wood, metal pasteboard, paper, or other suitable material, so as to adequately protect it from flies, dirt, dust, and other contamination.

All breadstuffs, cakes, pies, or confectionery kept, held, offered, or displayed for sale must at all times be protected from the contamination of flies, dirt, and unwarranted human handling, by being inclosed or covered with some suitable covering. All foodstuff when displayed on outside of stores or buildings and not protected by a fly and dust-proof wrapper must be protected by covering or casing in glass, metal, wood, or close-mesh wire screening, so as

to protect the same from flies and other contamination, except citrus fruits, melons, bananas, potatoes, green corn on the cob, cabbage, apples, and like substances which have a natural covering which is removed before consumption, and all foodstuffs displayed on inside of stores and buildings must be protected from flies.

All meat, fowl, game, fish, and similar products, not covered by permanent covering, when displayed for sale must be protected so as to preserve them from unwarranted human handling and contamination, flies and dust by being kept within closed refrigerators, display cases, or properly covered close-mesh wire screening.

SEC. 2. In restaurants and public eating places, all food must be protected from contamination by flies, dust, and unwarranted human handling by being inclosed in glass, metallic, or other close covering. Where pies, sections of pies, sandwiches, cakes, or similar products are securely wrapped in individual packages, they will be deemed as substantially protected within the provisions of this ordinance.

SEC. 3. The kitchens of all restaurants and hotels, and candy factories, meat, fish, and bakery markets, and grocery stores, and other similar places shall have effective screens at all openings for the purpose of excluding flies and other insects from such places.

SEC. 4. Anyone violating the provisions of this ordinance shall, upon conviction, be guilty of a misdemeanor, and may be fined in any sum not less than \$5 or more than \$25, and shall stand committed till such penalty and costs are fully paid.

PATERSON, N. J.

**Foodstuffs—Wrapping. (Reg. Bd. of H., Nov. 12, 1918.)**

1. That no storekeeper or other person selling foodstuff of any kind shall use for wrapping such foodstuff newspaper or any paper which has previously been used for any purpose.

2. Any person violating this ordinance shall be subject to a penalty of not less than \$5 nor more than \$100.

PORTLAND, ME.

**Food Establishments—Registration—Sanitary Regulation—Employees—Certificates of Health May Be Required. (Reg. Bd. of H., May 11, 1918.)**

SECTION 1. For the purposes of this by-law—

The word "person" shall mean and include any person, copartnership, corporation, or association.

The word "food" shall mean and include all articles, including condiments, used as food or drink by man.

SEC. 2. Every person owning or operating an establishment manufacturing, preparing, or serving food to the public in the city of Portland shall within 30 days after the passage of this by-law register at the office of the board of health of the city of Portland on forms provided therefor, and no person shall hereafter engage in the business of manufacturing, preparing, or serving food to the public in the city of Portland without first so registering. Such registration shall be renewed annually not later than the 31st of January in each year.

SEC. 3. Forms for registration of establishments manufacturing, preparing, or serving food to the public in the city of Portland shall give the following in-



formation: Exact nature of business, its location, name of owner with address, date of registration, number of rooms occupied, number of persons employed, whether male or female, and such other information as the board of health may require.

SEC. 4. Every person owning, managing, or operating an establishment or business where food is manufactured, prepared, or served to the public in the city of Portland shall at all times keep the premises and all fixtures, appliances, and utensils in a clean and sanitary condition satisfactory to the board of health.

SEC. 5. Every such establishment or business shall be provided with an adequate supply of running water from the public mains where such supply is available, shall be equipped with proper lavatory and toilet facilities convenient, accessible, and sufficient to insure the comfort and cleanliness of its employees, and, where both male and female help are employed, the board of health, through its health officer, may require separate toilets, lavatories, and dressing rooms to be installed for the use of either sex.

SEC. 6. No person afflicted with any eruption, ulceration, or running sores, and no person afflicted with any communicable disease shall be employed in any establishment where food is manufactured, prepared, or served to the public.

SEC. 7. It shall be the duty of every physician attending a case of venereal disease, tuberculosis, or any other communicable disease in any person employed in or about any establishment where food is manufactured, prepared, or served to the public to at once in writing and over his signature notify the board of health. Such notification in the case of a venereal disease shall not be made part of any record accessible to the general public, but may be used as evidence in any prosecutions initiated by the board of health or the health officer for failure to comply with the provisions of this by-law.

SEC. 8. Whenever in the opinion of the health officer there is sufficient reason to believe that a person employed in or about an establishment or business where foods are manufactured, prepared, or served to the public is afflicted with tuberculosis or any venereal or other communicable disease, the health officer may require such person to cease such employment temporarily and until he shall have filed with the health officer as evidence of good health a certificate of examination by a reputable and competent physician, and such examination shall include microscopic or other scientific tests recognized as reasonably necessary aids to establish a diagnosis.

SEC. 9. The health officer or his deputy shall issue certificates of registration to all persons owning or operating establishments manufacturing, preparing, or serving food to the public in the city of Portland who shall comply with the requirements of this by-law, and may determine or indicate the comparative general sanitary condition of all such establishments by a system of scoring applied to the premises, fixtures, appliances, personnel, and methods: *Provided*, That the system of scoring used has been approved by the board of health.

SEC. 10. Whenever the health officer or his deputy shall score an establishment, a copy of the score in detail shall be left with the proprietor thereof, who shall display the same, together with his certificate of registration, in some conspicuous place open to the public.

SEC. 11. The provisions of this by-law shall not apply to any establishment operated under Federal supervision or control.

SEC. 12. Upon conviction of any person of any violation of this by-law, the penalty for which is not specifically provided by law, such person shall be punished by a fine of not exceeding \$50.

## PORTLAND, OREG.

**Food Establishments—Licenses—Physical Examination of Employees and Issuance of Certificates of Health. (Ord. 34610, Oct. 11, 1918.)**

SECTION 1. That ordinance No. 34046 of the city of Portland entitled "An ordinance on the regulation of private business, including licenses and declaring an emergency," passed by the council May 1, 1918, be, and the same is hereby, amended by adding thereto a new article to be designated as article XV½, which article shall read as follows:

ART. XV½. SECTION 1. *Definitions.*—The term "food establishment," whenever used in this ordinance, shall mean and include every place in the city of Portland where any food product is sold or offered for sale or served to the public, or manufactured, produced, concocted, prepared, or cooked for the public.

The word "person" whenever used in this article shall mean any person, firm, or corporation, and the masculine pronoun shall include the feminine and the singular number shall include the plural unless otherwise indicated by the text.

SEC. 2. *License.*—It shall be unlawful for any person to open for business, conduct or maintain, or caused to be opened, conducted, or maintained, any food establishment in the city of Portland without first securing a license therefor as herein provided.

SEC. 3. *Sanitary conditions; permit.*—Any person desiring to secure a food establishment license shall make application to the bureau of health for inspection of the location where such establishment is intended to be located, which application shall state the exact location of such food establishment and the name and address of all persons interested in such food establishment, either as owner, proprietor, or manager. If, upon investigation, such proposed location is found to be suitable for a food establishment and in proper sanitary condition according to the ordinances of the city of Portland and the rules and regulations of the United States with reference to plumbing, water supply, ventilation, and cleanliness, the bureau of health shall issue to such applicant a food-establishment permit. Such permit shall be presented with the application for a license to conduct such food establishment, and no such license shall be issued unless accompanied by such permit.

SEC. 4. *License fee.*—The license fee for a food establishment shall be \$1.50 per quarter year, and no license shall be issued for a less period than three months, and no such license shall be transferable. Any license issued hereunder may be revoked for failure to comply with any of the provisions of the ordinances of the city of Portland and of the regulations of the United States Government relating to food establishments.

SEC. 5. *Certificate of health.*—It shall be unlawful for any person to be or remain in or to work in any food establishment in the city of Portland unless such person shall have a certificate of health as herein required. It shall be unlawful for any person to employ in, or cause or permit any person to work in, any food establishment unless such person shall have a certificate of health from the bureau of health. Such certificate shall be renewed quarterly and no certificate more than three months old shall be recognized by any employer or person in charge or control of a food establishment.

SEC. 6. *Examination.*—Any person desiring to secure a certificate of health as herein required shall present himself to the bureau of health for examination at least once every three months and if found by said bureau to be physically fit and free from diseases which are dangerous to the public, the bureau of

health shall issue to such person a certificate of health entitling such person to work in a food establishment. Each such applicant for a health certificate shall pay to the bureau of health a fee of 25 cents for such examination and permit.

### PROVIDENCE, R. I.

#### **Eating and Drinking Places—Employees—Certificates of Health Required. (Ord. 80, Feb. 17, 1919.)**

SECTION 1. No person without the certificate hereinafter provided shall be engaged in the preparation or serving of food or drink in any licensed victualing house or tavern, or in any lunch stand, ice cream parlor, lunch wagon, soda-water fountain, or other public eating place where food or drink is provided in the city of Providence. Every such person shall be examined by the superintendent of health or some physician or physicians designated by him to ascertain if such person is suffering from or infected with any contagious disease. After such examination, which shall be made at least semiannually and at such other periods as may be designated from time to time by the superintendent of health, the expense of such examinations to be borne by said city, the superintendent of health shall issue to such persons as shall have passed a satisfactory examination a certificate setting forth that fact, which certificate shall be retained by the person to whom it has been issued. Every person to whom a certificate has been issued under the provisions of this section shall whenever requested exhibit the same to any health or police officer of the city. Any person violating any of the provisions of this section shall be fined not less than \$5 nor more than \$20 or imprisoned for not more than 10 days.

SEC. 2. The owner, proprietor, or manager of any licensed victualing house or tavern, lunch stand, ice cream parlor, lunch wagon, soda-water fountain, or other public eating place, who suffers or permits any person without a certificate as provided for in section 1 hereof to be employed in the preparation or serving of food or drink in any licensed victualing house or tavern, lunch stand, ice-cream parlor, lunch wagon, soda-water fountain, or other public eating place, owned, controlled, or managed by him, shall be fined not less than \$10 nor more than \$50 for each offense or be imprisoned not less than 10 days.

SEC. 3. This ordinance shall take effect July 1, 1919.

### SAN DIEGO, CALIF.

#### **Food Establishments—Permits—Employees—Sanitary Regulation. (Ord. 7454, July 31, 1918.)**

SECTION 1. It shall be unlawful for any person, firm, or corporation owning, controlling, leasing, acting as agent for, conducting, operating, or managing any restaurant, café, lunch counter, cafeteria, soda fountain, ice cream parlor, soft drink stand, fruit stand, grocery, or other place in the city of San Diego, Calif., where food is prepared for sale, sold, distributed, or displayed for sale, to conduct or operate, or to cause or permit to be conducted or operated, such restaurant, café, lunch counter, cafeteria, soda fountain, ice-cream parlor, soft drink stand, fruit stand, grocery, or other place where food is prepared for sale, sold, distributed, or displayed for sale, or for any such person to sell, or offer for sale, or to cause or permit to be sold or offered for sale, or to give away or to cause or permit to be given away any food or drink therein or therefrom without first applying for and receiving from the health department of the city of San

Diego a permit therefor, in the manner hereinafter provided, or without complying with the regulations herein set forth.

SEC. 2. Every applicant for such permit shall file with the health department of the city of San Diego a written application which shall state the name and address of the applicant, a description of the property by street and number, wherein or whereon it is proposed to conduct such restaurant, café, lunch counter, cafeteria, soda fountain, ice cream parlor, soft drink stand, grocery or other food distributing place, also the character of business which is proposed to be conducted, and such other information as the health department of said city of San Diego may require. Every applicant for such permit shall at the time of making such application deposit with and pay to the clerk designated by the health officer to receive such applications the annual inspection fee hereinafter in this ordinance established.

SEC. 3. Upon receipt of such application, accompanied by the fee herein provided, it shall be the duty of the health department of said city of San Diego to investigate the matters set forth in such application and the sanitary conditions in and about the place wherein or whereon it is proposed to conduct the business mentioned in the application, and if it shall appear to said health department or to the officer or employee designated by the health department or health officer to perform such duties that the statements contained in the application are true, and that the existing sanitary conditions in the said place mentioned in said application comply with the provisions of the ordinances and State laws in force at the time such application is considered, and conform to the rules and regulations of the health department of said city, a permit shall thereupon be granted: *Provided, however,* That such permit shall be granted only on the express condition that it shall be subject to revocation or suspension by said health department upon a showing satisfactory to said health department of a violation by the holder of such permit, his employee, servant or agent, or any other person acting with his consent or under his authority, of any provision of any ordinance of the city of San Diego, or any law of the State of California, or any rule of the health department of said city of San Diego regulating places of the character set forth in section 1 of this ordinance: *And provided further,* That such permit shall be transferable, upon application to the board of health.

SEC. 4. Every person, firm, or corporation applying for a permit under the provisions of this ordinance shall at the time of making application for such permit pay an annual inspection fee of \$2 to the clerk or employee of the health department of said city designated to receive such fees. All moneys received as inspection fees under the provisions of this ordinance shall be paid into the city treasury and placed in the health fund. A permit for which application is made under the provisions of this ordinance may be granted at any time during the year, but all permits granted hereunder shall expire on the 31st day of December of the year in which the same are granted.

SEC. 5. It shall be unlawful for any person, firm, or corporation to maintain, conduct, operate, or manage any restaurant, café, lunch counter, cafeteria, soda fountain, ice-cream parlor, soft-drink stand, fruit stand, grocery, or other place in the city of San Diego where food is prepared for sale, sold, distributed, or displayed for sale, without complying with the following regulations:

(1) All owners, proprietors, or managers of the places mentioned in section 1 of this ordinance shall keep up-to-date, accurate, and complete lists of all persons employed in such places, indicating sex and color, and duties performed by each employee, and shall furnish a copy of the same to the health officer of the city of San Diego, which copy must be kept constantly revised up to date

by said owner, proprietor, or manager, and in constant agreement with all changes of personnel of employees.

(2) No owner, proprietor, or manager of any of the places mentioned in section 1 of this ordinance shall require or permit any person to work, nor shall any person work, in any eating house, who is affected with any venereal disease, smallpox, diphtheria, scarlet fever, yellow fever, tuberculosis, trachoma, typhoid fever, dysentery, measles, mumps, German measles, whooping cough, chicken-pox, or any other infectious or contagious disease.

(3) Every place of the character of those mentioned in section 1 of this ordinance shall be properly lighted, drained, plumbed, and ventilated, and conducted with strict regard to the influence of such conditions upon the health of the employees or other persons therein employed.

(4) The floors, side walls, ceilings, furniture, receptacles, implements, and machinery of every place of the character of those mentioned in section 1 of this ordinance shall at all times be kept in a clean, healthful, and sanitary condition.

(5) All food in the process of preparation, distribution, or display must be securely protected from flies, dust, dirt, and in so far as may be necessary by all reasonable means from all other foreign or injurious contamination.

(6) All garbage, refuse, dirt, and waste products subject to decomposition or fermentation must be removed daily.

(7) The clothing of all employees, clerks, and other persons therein employed must be kept clean.

(8) The doors, windows, and other openings of every place of the character of those mentioned in section 1 of this ordinance shall, during such time as, in the opinion of the city health officer, flies make such precaution necessary, be fitted with self-closing screen doors and wire window screens of not less than 14 mesh to the inch, which shall be close fitting and in good condition.

(9) Every place of the character of those mentioned in section 1 of this ordinance shall have convenient and adequate toilet or toilet rooms separate and apart from the room or rooms where food is prepared, served, or displayed. The floors in such toilet rooms shall be of good, nonabsorbent material, and shall be kept clean and in a sanitary condition. Said toilet or toilets shall be furnished with separate ventilating flues and shall be well lighted. They shall at all times be fly-tight and every reasonable precaution must be observed to prevent the access of animals which might spread excreta or other body discharges about the premises.

(10) Lavatories and washrooms shall be adjacent to or in toilet rooms and shall be supplied with running water, soap, and individual towels, and shall be maintained in a sanitary condition. All employees and others who handle food or the ingredients of its preparation shall, before beginning to work or after visiting toilet or toilets, wash their hands and arms thoroughly.

(11) Cuspidors for the use of employees and other persons shall be provided whenever necessary, and each cuspidor shall be thoroughly emptied and washed daily with disinfectant solution, consisting of 5 per cent phenol or its equivalent, and shall be provided at all times with at least five ounces of such solution.

(12) No person or persons shall be permitted to live or sleep or store articles used for living or sleeping purposes in the kitchen, dining room, or any other room of a restaurant, café, cafeteria, ice-cream parlor, soft-drink stand, fruit stand, grocery, or other food distributing place where food is prepared, served, or displayed.

(13) No owner, proprietor, or manager of a place of the character of those mentioned in section 1 of this ordinance shall provide or expose any taweling or



similar article, except individual paper towels, for use of the public generally, in any place under his control, or permit any towel or similar article to be so provided, exposed, or used, unless such towel has been laundered after each separate use.

(14) All dishes, glasses, silver, and other implements used by customers shall be thoroughly washed in boiling water with soap, rinsed in clear water at the boiling temperature, and either dried with a clean towel or allowed to dry in such a place that they are protected from dirt and contamination. All glasses shall be sterilized in accordance with the State law.

(15) All restaurants, cafés, cafeterias, lunch counters, soda fountains, ice-cream parlors, and soft-drink stands must be provided with running water in the kitchen and sinks of metal or other impervious material.

(16) All straws used at soda fountains and soft-drink stands shall be kept in suitable containers, to keep the same in a sanitary, cleanly, and safe condition, with the ends protected from dust.

(17) All bottled goods must be sold and served in the original containers, and straws must be inserted in the bottle for the customer's use. The contents of the bottle must not be poured into a glass.

(18) All restaurants, cafés, cafeterias, lunch counters, soda fountains, ice-cream parlors, soft-drink stands, fruit stands, groceries, and other places where food is prepared for sale, sold, distributed, or displayed for sale must have—

(a) A milk supply, where milk is served, which is approved;

(b) Water supply free from contamination;

(c) A sanitary method of sewage disposal.

(19) The owner, proprietor, or manager of every place of the character of those mentioned in section 1 of this ordinance shall keep posted in a conspicuous place in his place of business a copy of the regulations herein contained, which copy shall be furnished by the health department of the city of San Diego, and shall also keep posted in a conspicuous place in his place of business the permit granted to him under the provisions of this ordinance.

SEC. 6. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$10, nor more than \$500, or by imprisonment in the city jail of the city of San Diego for a period of not less than five days, nor more than six months, or by both such fine and imprisonment.

Every person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a separate offense for each day during which or any portion of which such violation continues, and shall be punishable therefor as herein provided.

### SOMERVILLE, MASS.

#### Foodstuffs—Protection from Contamination. (Reg. Bd. of H., Mar. 11, 1919.)

SEC. 81. None of the following-named articles of food shall be kept for sale or exposed for sale in such a manner as to come in contact with printed paper or with any unclean paper, unclean cloth, or other unclean thing, or in any manner liable to render the food unfit for consumption, to wit, all kinds of meat, fish, berries, and cut fruits.

SEC. 82. None of the following-named articles of food shall at or after any sale thereof be delivered by the seller in such a manner as to come in contact with printed paper or with any unclean paper, unclean cloth, or other unclean thing, or in any manner liable to render the food unfit for consumption, to wit, all kinds of meat, fish, berries, and cut fruits.

## WINSTON-SALEM, N. C.

**Eating and Drinking Places—Sanitary Regulation—Sterilization of Utensils—Certificates of Health from Employees. (Ord. Aug. 8, 1919.)**

(a) That all hotels, restaurants, cafés, lunch rooms, soda-water fountains, ice-cream parlors, stands, or other places where food or drink are sold shall be kept in a clean and sanitary condition at all times.

(b) That all places shall use only water of known purity that has been approved by the health officer for filling fountains, mixing drinks, washing vessels and utensils, and for every other purpose that might produce contamination of food or drink.

(c) Every vessel, glass, cup, dish, spoon, or other utensil coming in contact with the lip in the consumption of food or drink after each individual service [shall] be thoroughly cleansed with running water and a proper detergent and immersed in boiling water for not less than five minutes, or live steam under 5 pounds steam pressure for five minutes, or exposed to dry heat at not less than 250° F. for not less than five minutes. Where no purchase is made and water only is served, glasses may be used. In lieu of the above requirement paper cups, paper saucers, and paper spoons will be allowed for individual use only. The method of application of the sterilizing process shall be subject to the approval of the city health department.

(d) The use of tanks or vessels containing water for washing glasses and other utensils is forbidden. At soda fountains and soft-drink stands such washing must be done in running fresh water as hereinbefore prescribed.

(e) All vessels used for containing fruit juice, sirups, and crushed fruits and all sirup tanks shall be washed thoroughly and scalded before each filling, and such vessel when filled shall be tightly covered.

(f) Cream, milk, or ice cream used or served in such places shall be kept in clean vessels, which shall be tightly closed. All milk and cream so kept shall be from a source that is approved by the health officer and shall be kept on ice continuously.

(g) All holders and other utensils, and surfaces on counters, tables, draining boards, and ice boxes wherever drinks or food [are] served [which] may become contaminated shall be kept scrupulously clean at all times.

(h) Flies must be excluded from all such places at all times.

(i) All refuse from soda fountains, soft-drink stands, and ice-cream parlors shall be kept in water-tight receptacles of adequate capacity and of impervious material, which shall be emptied daily, and after each use such shall be thoroughly scoured and scalded.

(j) No person shall be employed in or about such place until he shall have obtained from the city health officer a certificate stating that such person is free from any infectious, contagious, or communicable disease.

## GARBAGE, REFUSE, ASHES, AND WASTE MATTER.<sup>1</sup>

### ALAMEDA, CALIF.

#### Garbage and Rubbish—Keeping, Collection, and Disposal. (Ord. 124, May 3, 1918.)

SECTION 1. *Definition of terms.*—Sub. 1. The general term "refuse" shall be construed as including swill, bones, offal, cleanings from meat, fish, or poultry, dead animals, condemned or discarded food materials, waste from vegetables or fruits, trash, rubbish, paper, rags, used clothing, bedding, mattresses, carpet, oilcloth, linoleum, sweepings or cleanings from buildings, yards, lawns, or gardens, bottles, tin cans or containers, crockery, glassware, old metals, wire, packing or wrapping materials, ashes, gravel, stone, or broken bricks, trimmings from lawns, shrubs, plants, and trees; rope, twine, jute, bagging, or burlap; or any matter which by its presence or accumulation may injuriously affect the health, comfort, or safety of the community by increasing disease or hazard of fire; and, further, shall be construed to mean and include any and all organic or inorganic materials which are rejected, abandoned, or discarded by the owners or producers thereof as offensive or useless or no longer desired by said owners or producers thereof.

Sub. 2. *Definition of the term "garbage."*—The term "garbage" when used hereinafter shall be applied to and be construed to mean all classes of putrefactive or easily decomposable animal or vegetable matter, and includes dead animals, kitchen refuse of residences, restaurants, hotels, and places where food is prepared for human consumption, all waste and offal from fish, poultry, meat, and vegetable markets, and all organic substances of whatever kind or nature unfit for human consumption that are subject to immediate decay and the attraction of flies or rodents.

Sub. 3. *Definition of the term "rubbish."*—The term "rubbish" where used hereinafter shall be construed to mean all classes of light, fairly dry, combustible refuse, consisting of paper, packing materials, rags, used clothing, bedding, mattresses, paper boxes, wooden boxes or barrels, scraps of wool, used carpet, oilcloth, linoleum, sweepings or cleanings from buildings, rope, twine, jute, bagging, burlap, shoes, rubber, or other combustible refuse. Bottles and tin cans shall be included with rubbish for convenience of salvage.

Sub. 4. *Definition of the term "dirt."*—The term "dirt" where used hereinafter shall be construed to mean incombustible refuse, or refuse not capable of contributing to disease or fire hazard by its presence or decomposition. "Dirt" shall include cleanings or sweepings from yards, lawns, plants, shrubs, or trees, ashes, manure, broken crockery or glassware, metal, wire, and all other refuse not defined as "garbage" or "rubbish."

Sub. 5. *Definition of "scavenger."*—The term "scavenger" where used hereinafter shall be construed to mean the person, firm, corporation, or association or the agents or employees thereof to whom the city of Alameda shall have granted a permit or designated as duly authorized to collect, receive, carry,

<sup>1</sup> See also Nuisances, p. 387.

haul, or transport refuse, garbage, rubbish, or dirt herein defined within the said city.

Sub. 6. *Definition of term "disposal contractor."*—The term "disposal contractor" shall be construed to mean the person, firm, or corporation or association to whom the city shall award a contract or designate as duly authorized exclusively to receive all refuse collected by scavengers within the city of Alameda.

SEC. 2. *Classification of "refuse."*—In order that "refuse" may be properly conserved, handled, and disposed of in a sanitary manner, "refuse" shall be segregated by the producer into two general classes to be known as: (1) "Garbage," and (2) "Rubbish and dirt."

SEC. 3. *Segregation of "refuse."*—Sub. 1. Every householder, keepers of boarding houses, hotels, restaurants, stores, or business places, and every producer of refuse as herein defined, shall keep segregated and separated the several classes of refuse designated as "garbage" and "rubbish and dirt." All "garbage" as herein defined shall be placed by the person, firm, or corporation occupying the premises upon which such garbage is created in a water-tight metal receptacle approved by the health officer, which receptacle shall be kept continuously closed by a close-fitting metal cover. The contents of such receptacle shall be delivered not less than once a week to the person holding a permit from the city manager. No refuse other than "garbage" shall be placed in said garbage receptacle or mixed with said garbage.

Sub. 2. Every contractor or builder engaged in the erection or repair of a building is hereby required to provide a water-tight metal receptacle at or near such building being so erected or repaired, within which receptacle shall be deposited any refuse, food, or garbage cast aside by the employees or workmen engaged on such building. Said receptacle shall be kept continuously closed by a close-fitting metal cover except at such times when opened for the deposit of such refuse, food, or garbage.

Every employee or workman engaged in work upon said building or on the premises surrounding said building who consumes food on said premises is hereby required to deposit in such water-tight metal receptacle in the manner aforesaid all leavings of such food as may be unconsumed or rejected by him, and the casting aside on said premises or throwing about of any unconsumed food or of any garbage is hereby expressly forbidden.

SEC. 4. Every householder, keepers of boarding houses, hotels, restaurants, stores, or business places, and every producer of refuse, as herein defined, shall exercise every precaution to prevent broken glass, crockery, poisons, or deleterious substances from becoming mixed with garbage.

SEC. 5. It shall be a misdemeanor for any householder, keeper of a boarding house, hotel, restaurant, store, or business place, contractor, or any producer of garbage, as defined by section 1, subdivision 2, of this ordinance who fails<sup>2</sup> to properly segregate "garbage" from other refuse as required by subdivisions 1 and 2 of section 3 of this ordinance or who fails<sup>2</sup> to properly safeguard garbage as required by section 4 of this ordinance.

SEC. 6. It shall be unlawful to incinerate garbage upon private premises, or dump on vacant lands or into the Bay of San Francisco, or Bay of San Leandro, or the Tidal Canal, or San Antonio Estuary, or to bury garbage.

It shall be unlawful for any householder, keeper of a boarding house, hotel, restaurant, store, or business place, contractor, scavenger, or any person, other than the duly authorized "disposal contractor," to incinerate garbage or to

<sup>2</sup> Should read "to fail."

dump same upon any vacant lands or into the waters of any bay, estuary, or canal, or to dispose of garbage by burial.

SEC. 7. The water-tight metal garbage receptacle herein required shall be made of galvanized iron or of material equally satisfactory to the health officer and shall be inspected and approved and so stamped or marked by the health officer. No person, firm, or corporation shall sell, or offer for sale, or otherwise dispose of any such receptacle to be used as a garbage can which does not have upon it the inspection stamp or mark of the health officer.

SEC. 8. All "rubbish and dirt" shall be kept in a proper receptacle, in a dry condition, and no rubbish or dirt as herein defined shall at any time be mixed with garbage.

SEC. 9. *Handling and disposal of possible disease carriers.*—All refuse consisting of paper, rags, used clothing, bedding, mattresses, shoes, or other rubbish from dwellings, residences, habitations, hospitals, schools, asylums, public assembly places or institutions, which may be capable of carrying germs or the microorganisms of communicable disease shall be received, collected, handled, carried, or transported from said places by scavengers only and shall be promptly disposed of under the direction and supervision of the health officer. No scavenger shall retain any such above-described materials nor carry any such rubbish to any barn, garage, or premises for storage, segregation, or use prior to disposal as above specified.

SEC. 10. *Collection of refuse.*—All refuse within the city of Alameda shall be collected and transported through the streets of said city by scavengers only, at the time, and in the manner hereinafter set forth.

Each class of refuse is to be kept separate from and unmixed with any other class of refuse and is to be transported unmixed with any other class of refuse and is to be transported and delivered by the scavenger to the disposal contractor in a segregated and unmixed condition.

SEC. 11. The person collecting such garbage under the terms of the preceding sections shall deposit the contents of all such receptacles from such receptacles directly into the wagon provided therefor, and shall deliver the contents of such wagon to the disposal contractor on the same day that such garbage was placed therein. Any failure on the part of the person so collecting such garbage to observe the requirements of this section will be sufficient to justify the revocation by the city manager of the permit issued.

SEC. 12. In addition to the revocation of the permit for the cause set forth in section 11 hereof the city manager shall have authority to hear complaints against any person holding such permit and to revoke the same for insolent or threatening conduct, for the failure to collect garbage under the terms of any contract, or for the violation of any sanitary regulations made by the health officer; and no increase of charge for the collection of such garbage shall be made without the permission of the city manager.

SEC. 13. It shall be deemed a misdemeanor for any person, firm, or corporation, their agents or employees, to hinder, threaten, or impede, or obstruct any licensed scavenger in the performance of his duty as defined by this ordinance.

SEC. 14. The health officer is hereby empowered to make such further regulations as will be necessary to carry out the intent and purposes of this ordinance.

SEC. 15. All members of the police department and the health officer are hereby specifically required to enforce the provisions of this ordinance, and shall have the right to enter any and all premises for the purpose of ascertaining as to the sanitary condition thereof, and any person denying or obstructing such entry shall be subject to the penalty herein provided.

SEC. 16. Any person, firm, or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof



shall be punished by a fine of not more than \$500, or by imprisonment in the city prison for not more than six months, or by both such fine and imprisonment.

### BAKERSFIELD, CALIF.

#### Garbage—Keeping, Collection, and Disposal. (Ord. 382, Aug. 5, 1918.)

SECTION 1. For the purpose of this ordinance the word "garbage" is defined to be all animal and vegetable refuse and waste from kitchens and all animal and vegetable refuse and waste that shall have been prepared for or intended to be used as food or shall have resulted from the preparation, consumption, storage, and marketing of food.

SEC. 2. It shall be unlawful for any person to deposit, keep, or accumulate any garbage, or permit, cause or suffer any garbage to be deposited, kept, or accumulated upon any lot, or parcel of land, or any public or private place, drive, alley, or street, unless the same shall be in tightly closed receptacles which shall not be accessible to flies or rodents.

SEC. 3. It shall be the duty of every owner, manager or person in possession, charge, or control of any boarding house, restaurant, hotel, apartment house, eating house, and the owner, agent, or manager of every dwelling house or flat building within the city of Bakersfield, whether occupied by one or more families, to provide or to cause to be provided, and at all times to keep or to cause to be kept, as in this ordinance prescribed, portable vessels, tanks, or receptacles for holding garbage; each such vessel, tank, or receptacle shall be constructed of metal, and shall be water tight, and shall be so constructed as to contain not less than 3 or more than 16 gallons, and shall be provided with a handle or handles on the outside thereof and with a tight-fitting metal cover. The city health officer shall be the judge of the sufficiency of said vessel, tank, or receptacle. Such cover shall not be removed except when necessary to place garbage therein or to take garbage therefrom.

SEC. 4. Each vessel, tank, or receptacle shall be kept or placed in the manner following:

Where there is an alley, other than a blind alley, in the rear of the premises, such vessel, tank, or receptacle shall be placed on the premises within 5 feet of the rear property line.

Where there is no alley other than a blind alley in the rear of the premises and there is a side entrance to the rear of said premises, each such vessel, tank, or receptacle shall be placed on the premises at an accessible point not less than 50 feet nor more than 75 feet from the front property line.

Where there is no alley other than a blind alley nor such side entrance, each such vessel, tank, or receptacle shall be placed on the curb in front of the premises during the hours fixed for the collection of garbage therefrom. Each such vessel, tank, or receptacle shall be accessible to the garbage collector when called for.

SEC. 5. It shall be unlawful for any person to place or to cause or permit to be placed in any such vessel, tank, or receptacle any substance or substances other than garbage.

SEC. 6. It shall be unlawful for any person other than the owner, or some one authorized by him or an officer of said city, to interfere in any manner with any such vessel, tank, or receptacle or the contents thereof, or to remove any such vessel, tank, or receptacle from the location where the same was placed by the owner thereof, or to remove the contents from any such vessel, tank, or receptacle: *Provided, however,* That during any such time as a contract shall be in force between the city of Bakersfield and any garbage collector, such

garbage collector shall remove all garbage from all places where the removal of the same is not otherwise provided for by the owner or occupant.

SEC. 7. No garbage shall be removed and carried on or along the streets or alleys of the said city except the same be carried in carts in water-tight cans, or in carts or wagons having water-tight boxes with proper covers, so that the garbage shall not be offensive, and every such cart or wagon shall be kept clean, and said garbage shall be so loaded that none of it shall fall, drip, or spill to or on the ground, sidewalks, or pavement.

SEC. 8. Nothing in this ordinance shall be construed to prevent the owner or occupant of any house or place from removing or causing to be removed, garbage accumulated thereat, provided that all the conditions and requirements of this ordinance be fully complied with.

SEC. 9. Nothing in this ordinance shall be construed to prevent the owner or occupant of any house or place from feeding the garbage produced in such house or place, to chickens in proper amounts for immediate consumption, provided such garbage shall be wholly disposed of each day and shall be handled at all times in a manner satisfactory to the health officer of the city of Bakersfield.

SEC. 10. Every person, firm, or corporation shall be guilty of a public offense for every day during any portion of which any violation of any provision of this ordinance is committed, continued, or permitted by such person, firm, or corporation, and shall be punishable therefor as provided for by this ordinance.

SEC. 11. Any person, firm, or corporation failing to perform any duty prescribed herein, or violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be punishable by a fine in a sum not exceeding \$300, or by imprisonment in the county jail for a period not exceeding 90 days, or by both such fine and imprisonment.

### CHICAGO, ILL.

#### Refuse, Manure, Ashes, Etc.—Depositing on Private Property or Vacant Grounds. (Ord. May 26, 1919.)

SECTION 1. That sections 1 and 2 of an ordinance passed July 2, 1914, and appearing on page 1391 of the journal of the proceeding of the city council of said date be, and the same are hereby, amended to read as follows:

SECTION 1. No person, firm, or corporation shall empty, dump, or deposit any ashes, soot, sand, dust, refuse, offal, rubbish, cinders, dirt, manure, street sweepings, or any other substance that may contain disease germs or subject to be carried by the wind, or any like substance that may contain disease germs or subject to be carried by the wind, or any like substance that may decompose or become filthy, noxious, or unhealthful, upon any private property or upon any vacant lot or grounds within the limits of the city of Chicago, and the dumping of the same is hereby declared to be a nuisance. It shall be unlawful hereafter to dump any waste matter on private property unless the written consent of the owner or owners or their duly authorized agent shall first be obtained and filed with the commissioner of health, who may in his discretion, if satisfied that the dumping of same will not constitute a nuisance, and upon the applicant executing a bond to the city of Chicago in the penal sum of \$1,000, with good and sufficient sureties to be approved by the commissioner of health, conditioned that the said applicant will comply with the provisions of this ordinance and of every ordinance of the city of Chicago now in force or that may hereafter be passed by the city council regulating the dumping or depositing of any ashes,

soot, sand, dust, refuse, offal, rubbish, cinders, dirt, manure, street sweepings, or any other substance that may contain disease germs or subject to be carried by the wind, and that the applicant will also comply with and obey the directions of the commissioner of health, and will fully observe all rules and regulations such commissioner of health may adopt, issue a permit to the party or parties requesting the permission to so deposit waste materials. The depositing of any material allowed under said permit shall not authorize any person to dump any such material on private property above the street grade.

SEC. 2. Any violations of section 1 hereof shall subject the offender to a penalty of not less than \$5 nor more than \$200.

### LAWRENCE, KANS.

#### Garbage—Keeping and Collection. (Ord. 1283, Apr. 14, 1919.)

SECTION 1. The mayor and commissioners of the city of Lawrence, Kans., are hereby authorized to make and enter into an exclusive contract for the free collection and disposal of the garbage.

SEC. 2. The word "garbage" as used herein is intended to mean all rejected waste food, offal, and all organic waste or residue of animal food or vegetable matter from kitchens and dining rooms, and from the preparation of and dealing in or storage of meats, fowls, fruits, vegetables, and grain.

SEC. 3. All carts or vehicles used for the collection of garbage within the city shall be constructed as in this ordinance provided and shall have the words "garbage wagon" plainly printed thereon in letters of sufficient size as to be legible at a distance of at least 80 feet, and all garbage wagons shall be thoroughly cleaned, and such wagons and the drivers thereof, and the owners thereof, shall, as to such garbage collection, be under the supervision of the mayor.

SEC. 4. Every wagon or vehicle used to transport garbage shall have the box or barrels thereon securely closed with sufficient coverings or so closely fitted as to prevent the escape of any of the contents or effluvia therefrom, and said boxes or barrels shall be constructed of iron.

SEC. 5. No person shall throw or permit any one in his or her employ to throw into any street, alley, or other public place any garbage as in this ordinance defined, or in any manner except as in this ordinance provided.

SEC. 6. Housekeepers and other persons living within the boundaries of the district covered by the contract herein provided for shall deposit garbage in water-tight vessels closely covered, to be provided at their own expense, but no ashes or chamber lye or anything else than garbage within the meaning of this ordinance shall be deposited within such vessel. In blocks in which there is an alley such vessels shall be placed and kept within 10 feet of the adjacent alley line, and in blocks in which there is no alley at a point in the lot not more than 60 feet from the inside sidewalk line in front thereof.

SEC. 7. It shall be unlawful for any person, persons, firm, or corporation to haul garbage in any manner upon or along Massachusetts Street between Sixth Street and Fourteenth Street in the city of Lawrence.

SEC. 8. All garbage shall be removed daily from the business district of the city of Lawrence, which shall include that district known as the fire-limits district. And all garbage shall be removed from the residence district twice each week during the life of any contract that may be entered into. All garbage shall be removed at least 5,280 feet beyond the limits of the city of Lawrence.

SEC. 9. No person, persons, firm, or corporation shall collect any garbage in the city of Lawrence or haul the same over and upon any of the streets, avenues, or alleys of said city south of the Kansas River, except the person, persons, firm, or corporation with whom the city contracts, or the heirs, administrators, executors, successors, or assigns of such person, persons, firm, or corporation, for the collection and disposal of the same and those in his or their employ, and then only in strict accordance with the provisions of this ordinance.

SEC. 10. The person, persons, firm, or corporation making such contract with said city shall execute a bond to the city of Lawrence, Kans., in the sum of at least \$5,000, with surety by some responsible surety company lawfully doing business in the State of Kansas, conditioned for the full and faithful performance of all the agreements and covenants in said contract.

SEC. 11. Before the mayor and commissioners shall contract for the free collection and disposal of garbage within said city, the mayor and commissioners shall enter into a written contract in the name of the city of Lawrence, Kans., with the person, persons, firm, or corporation desiring to contract with said city, and before said contract shall be binding upon the city of Lawrence, Kans., it shall be approved by the mayor and commissioners of the city of Lawrence, Kans., and shall upon approval be signed by the mayor and attested by the city clerk under the seal of the city.

SEC. 12. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof fined in any sum not less than \$5 and not more than \$100.

#### LOUISVILLE, KY.

#### Garbage, Refuse, Manure, and Ashes—Receptacles—Collection and Disposal. (Ord. Oct. 6, 1917.)

SECTION 1. The term "garbage" shall include all combustible matter which is liable to ferment, decay, putrefy, decompose, or become offensive or a menace to health, and the refuse matter from kitchens, dining rooms, and other parts of hotels, restaurants, boarding houses, tenement houses, dwelling houses, market houses, private hotels, and clubrooms, and the refuse fruit and vegetables from fruit stands, commission houses, groceries, or any other places of business, and all the refuse animal matter, excepting any portion or particle of meat or animal unfit or not intended for immediate market and to be subjected to a rendering process from slaughterhouses, butcher shops, meat shops, poultry or fish stores, or any place where meat is sold.

SEC. 2. The term "ashes" shall include cinders and all solid products of complete combustion of wood, coal, or other combustible material, provided the same has been completely burned and has not been mixed with any combustible or insanitary material.

SEC. 3. The term "manure" shall include all excreta of any domestic or other animals, live stock, or fowl, and hay, straw, or other material when mixed with excreta of any such animal, live stock, or fowl.

SEC. 4. The term "other refuse" shall include all yard screenings, dirt, rags, waste paper, and all other unsightly materials.

SEC. 5. Every household keeper, restaurant or hotel keeper, and all keepers of stores and places of business are hereby required to place garbage in a separate water-tight, fly-proof receptacle, and furthermore to place all ashes and other refuse in another receptacle, which shall be constructed as to prevent the contents from spilling, flying about, or otherwise.

SEC. 6. The vessels for garbage as prescribed and required by the preceding section (5) shall be water-tight and made of metal with a close-fitted metal cover. Such vessels shall be provided with handles, sufficient for the safe and convenient emptying of same.

SEC. 7. The city of Louisville shall, as soon as practicable, reorganize the present garbage-collection system and provide for the separate removal of garbage in a special water-tight wagon (which vehicle shall have covers), and the disposal of the garbage in such a manner as not to endanger the public health.

SEC. 8. No person or persons shall engage in the collection or transportation of garbage, manure, ashes, or other refuse as a business without a permit from the board of public works or otherwise [than] in accordance with the terms of the said permit.

SEC. 9. Any person or persons violating or assisting in the violation of any part or parts of this ordinance shall, upon conviction, be fined not less than \$5 or more than \$50.

### ONEONTA, N. Y.

#### Garbage—Receptacles—Collection and Disposal. (Ord. 32, May 2, 1917.)

SECTION 1. The common council of the city of Oneonta does enact the following rules and regulations:

SEC. 2. The word "garbage" for the purpose of this ordinance shall be defined to include kitchen and table refuse, offal, decayed vegetable and animal matter.

SEC. 3. Under present conditions tin cans will be collected with the garbage until such time as the board of health decides such collection should be discontinued.

SEC. 4. Every householder in the city of Oneonta who does not daily burn or bury said garbage shall provide metal receptacles, with overlapping or tight-fitting tops for holding garbage. Said receptacles shall be securely covered and shall not be placed upon any sidewalk or public street and must be placed so as to be easy of access to the collector. No garbage, excepting tin cans, shall be placed in said receptacle without first having been thoroughly drained and securely wrapped. Every receptacle for garbage shall be kept in a sanitary condition by each householder. In the event of communicable or contagious disease the health officer may direct by oral or written orders any further or other precautionary measures, either in the case of said garbage or in the care and disinfection of said garbage receptacles, and said orders shall constitute a part of this ordinance the same as though incorporated at length herein.

SEC. 5. No corporation, firm, association, or individual shall engage in the collection of garbage within said city without first obtaining from the board of health of said city a license to carry and dispose of garbage. The fee for a license under this ordinance shall be such sum as may be determined by the board of health by resolution, and shall be payable at the time of granting of such license.

SEC. 6. Garbage shall be collected and removed by collectors of garbage in such wagons and conveyances and in such manner and at such hours as shall be prescribed by the board of health. The price for collecting said garbage shall be paid and borne by the householder. Carts and vehicles used in collecting garbage shall always be kept clean and shall be so loaded and driven that none of their contents shall fall, spill, or leak therefrom.



SEC. 7. Garbage shall be removed at least once every two weeks during the months of January, February, March, April, November, and December; and once a week during the months of May, June, July, August, September, and October, or oftener if directed by the health officer.

SEC. 8. All garbage disposed of within the limits of the city of Oneonta by burning or burying shall be burned and buried in such manner as not to create a nuisance and in such a manner as shall be approved by the board of health of the city of Oneonta.

SEC. 9. Collectors of garbage shall call regularly at all buildings from which garbage is to be removed, and shall remove it in as cleanly a manner as possible.

SEC. 10. Deposits of garbage shall not be made by any collector thereof upon any vacant lot, public street, lane, avenue, alley, or public place unless so directed by the board of health, nor shall such garbage be mixed with ashes or other substances not subject to decay. All such garbage shall be deposited in such place or places as from time to time may be designated by the department of health.

SEC. 11. Any person, firm, association, or corporation applying to the board of health for a license to collect garbage under this ordinance shall make said application in writing, stating the name and residence or place of business of said applicant, the price per receptacle for collection, a description of the conveyance or conveyances to be used for the collection of said garbage which must be approved by the board of health, and such information as said board of health may require.

SEC. 12. Any conveyances used in the collection and conveyance of garbage in said city shall have thereon the name of the owner or owners and the number of the license.

SEC. 13. All licenses granted under this ordinance shall be granted for a term to end on December 31, next following the granting thereof, except the licenses granted in 1917, which shall expire on December 31, 1918. All licenses shall be subject to summary revocation thereof by the board of health for a violation of this ordinance. The board of health may restrict the license to a single individual, firm or corporation, and if there be more than one application for said license, the board of health shall decide to whom such license shall be granted, and their decision shall be final. In the event a license is revoked, as herein provided, before the expiration of said license period, the board of health may grant a license for the remainder of said license period to such person or persons as it may deem best, and their decision shall be final.

SEC. 14. Each licensee shall furnish to the city of Oneonta a good and sufficient bond in the sum of \$500, with one or more sureties thereon, who shall be approved by said city, conditioned for the faithful performance of the provisions of this ordinance and the provisions and conditions under which said license is granted.

SEC. 15. Any person, firm, association, or corporation violating any section of this ordinance or any part thereof shall be guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not less than \$2 or more than \$25 for each and every offense and stand committed until such fine be paid, not exceeding one day for each dollar of fine.

SEC. 16. The board of health shall have authority to divide the city of Oneonta into districts for collecting garbage, and to assign and restrict licensed garbage collectors, one to each district.

## SACRAMENTO, CALIF.

**Garbage, Rubbish, and Waste Matter—Keeping, Collection, and Disposal.  
(Ord. 283, Apr. 5, 1917.)**

SECTION 1. *Garbage*, as the said word is made use of in this ordinance, consists of dead animals of not more than 10 pounds weight each, tin cans of one gallon or less capacity, and of every accumulation of animal, vegetable, and other matter that attends the preparation, consumption, decay, or dealing in or storage of meats, fish, fowls, birds, fruits, or vegetables. The term "garbage" does not include dishwater or waste water.

*Rubbish*, as the word is made use of in this ordinance, consists of wood, leaves, dead trees or the branches thereof, chips, shavings, woodenware, dodgers, printed matter, paper, pasteboard, grass, rags, straw, boots, shoes, hats, and all other combustible material not included in this ordinance under the term "garbage."

*Waste matter*, as the word is made use of in this ordinance, consists of natural soil, earth, sand, clay, gravel, loam, manure, stones, brick, brickbats, plaster, Portland cement, crockery, queensware, glass, glassware, ashes, cinders, shells, metals, and all other noncombustible materials except tin cans of 1 gallon or less capacity.

SEC. 2. It shall be the duty of every tenant, lessee, or occupant of any private dwelling house and of the keeper of every hotel, restaurant, eating house, boarding house, or other building where meals are furnished, and of the owner of every furnished flat or apartment house, and of every other person having garbage, to provide without expense to the city of Sacramento, and at all times to keep within said building or on the lot on which said building is situated, suitable and sufficient water-tight cans or receptacles with suitable bales or handles, and each having a tight-fitting cover, for receiving and holding without leakage or escape of odors, and without being filled to within 4 inches of the top, all the garbage which would ordinarily accumulate on said premises in one week's time; and all such cans shall be placed at least 4 inches above the ground, and shall be so placed as to be readily accessible for removing and emptying the garbage therefrom by the collectors, and where they will not be a public nuisance or in any degree offensive. Garbage must be removed from such garbage cans at least once each week. The health officer shall be the exclusive judge of the sufficiency of said garbage cans or receptacles. It shall be unlawful to place any rubbish or waste matter in such garbage cans or receptacles, and if placed therein the collector will not empty the cans or receive the garbage. Cans or receptacles for garbage from private dwelling houses, from each flat, and from each apartment house shall each have a capacity of not less than 10 gallons nor more than 30 gallons, and cans or receptacles for garbage at all other places shall each have a capacity of not less than 10 gallons nor more than 60 gallons. No can or receptacle for receiving garbage shall be placed on or in any street, alley, sidewalk, footpath, or any public place whatsoever. It shall be unlawful to keep, place, or deposit garbage on any private grounds or premises whatsoever, except in cans or receptacles as designated in this ordinance.

SEC. 3. It shall be unlawful for any person having garbage in the city of Sacramento to throw or deposit the same, or to cause the same to be thrown or deposited upon any street, alley, gutter, park, or other public place or to throw or deposit the same in or upon any vacant lot or back yard, or to store or keep the same otherwise than in cans or receptacles as required by section 2 of this ordinance; and it shall be unlawful to have, store, deposit or keep garbage where rats can have access thereto, or feed thereon. Each day's violation of this section shall be treated and considered, and the same shall be, a separate and distinct offense.

SEC. 4. It shall be the duty of every tenant, lessee, and occupant of every private dwelling house and of the keeper of every hotel, restaurant, eating house, boarding house, apartment house or other building, where rubbish will accumulate, to provide boxes, barrels, or other proper receptacles to be kept on said premises sufficient to hold the rubbish which would ordinarily accumulate on such premises in two weeks' time, and all rubbish accumulating on such premises shall be placed in such boxes, barrels, or other receptacles. Said boxes, barrels, or receptacles shall be so placed as to be readily accessible to the collectors for the removal of rubbish therefrom. No garbage or waste matter shall be placed in the receptacles intended for rubbish, and if placed therein it shall be unlawful for the collector to remove the same or the contents of said receptacle. No one of said boxes, barrels, or receptacles shall have a capacity exceeding 50 gallons. The health officer shall be the exclusive judge of the sufficiency of such boxes, barrels, or receptacles.

SEC. 5. It shall be unlawful to deposit any garbage or rubbish within the city limits or within 400 yards thereof, except at the garbage crematory or other place designated by the health officer for purposes of destruction. Waste matter, as defined by this ordinance, if not removed beyond the city limits, may be made use of, upon receiving written permission from the health officer, for filling in low lots within the city limits. Garbage and rubbish, if delivered at the city crematory, will be burned and consumed therein by the city free of charge.

SEC. 6. It shall be unlawful for any person to remove and carry, or to remove or carry, on or along the streets and alleys of the city, any garbage or other matter of offensive to sight or smell except between the hours of 9 o'clock p. m. of any one day and 12 o'clock noon of the next succeeding day, and then only in water-tight cans or in carts or wagons having iron beds or boxes with proper covers, so that the garbage or other matter shall not be offensive, the garbage shall be so loaded that none of it shall fall, drip, or spill to the ground; and every such cart or wagon shall be kept clean and well painted on the outside, and said carts or wagons shall be numbered with the number of each painted on the outside thereof, so as to be plainly seen. Each garbage collector shall, when at work, wear a badge in plain sight upon which shall be the words, "Garbage collector."

SEC. 7. It shall be unlawful for any person, firm, or corporation to drive, or to cause to be driven upon or along any street, alley, highway, place, court, or other public place within the limits of the city any wagon, cart, or other vehicle loaded with rubbish or waste matter, as said terms are defined by this ordinance, unless such wagon, cart, or other vehicle be provided with side and end boards, not less than 20 inches high, and be so loaded that such rubbish or waste matter will not spill upon the streets, alleys, highways, and other public places of the city.

SEC. 8. It shall be unlawful for any person to burn, or to cause to be burned, in or on any street, alley, highway, public or private lot or park, or in any place within the limits of the city of Sacramento, any garbage, rubbish, or waste matter, except as provided in section 5 of this ordinance: *Provided, however*, That the provisions of this section shall not apply to the burning of rubbish outside of the fire limits of the city of Sacramento between the hours of 9 o'clock in the morning and 2 o'clock in the afternoon of any day; but in no event shall rubbish be burned on any bitumen or asphalt street, alley, or highway, or in any street or alley or highway which has been macadamized or oiled.

SEC. 9. It shall be unlawful for any person to throw or deposit, or to cause to be thrown or deposited, any rubbish or waste matter, as said terms are defined by this ordinance (except bricks, brickbats, cement, plaster, stones, and gravel,

and these only under a building permit), on or upon any vacant lot or in any back yard, or on or upon any street, alley, gutter, highway, park, or other public place in the city of Sacramento; or to deposit or place or keep any rubbish or waste matter in any manner other than the manner prescribed in section 4 of this ordinance.

SEC. 10. It shall be unlawful for any person to throw, deposit, or distribute, or cause to be thrown, deposited, or distributed, in or on any street, alley, gutter, highway, park, vacant lot, or other place in the city of Sacramento any dodgers or other similar written or printed matter.

SEC. 11. The health officer shall have the power to establish rules and regulations governing the collection and disposal of garbage, rubbish, and waste matter not inconsistent with this ordinance. Such rules and regulations, when published, shall become, and are hereby made, a part of this ordinance, and any person violating any one of such rules shall be punished as for a violation of this ordinance.

SEC. 12. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not more than \$500 or by imprisonment in the city jail for not more than six months, or by both such fine and imprisonment.

SEC. 13. Ordinance No. 235, entitled "An ordinance to prevent garbage, dodgers, etc., being dumped or thrown in the city limits," passed October 1, 1888; ordinance No. 288, entitled "An ordinance amending section 13 of ordinance No. 142, relating to the burning of garbage," passed November 16, 1891; ordinance No. 488, entitled "An ordinance to prevent the spilling of sand, dirt, loose straw, manure, or garbage of any kind from vehicles upon the streets and alleys of Sacramento City, and providing a punishment for the same, and repealing ordinance No. 369," passed March 21, 1898; ordinance No. 543, entitled "An ordinance relating to the collection and removal of garbage, swill, or any offensive matter within the limits of the city of Sacramento," passed November 19, 1900; ordinance No. 672, entitled "An ordinance amending ordinance No. 235, entitled 'An ordinance to prevent garbage, dodgers, etc., being dumped or thrown in the city limits,' passed October 1, 1888," passed September 19, 1904; ordinance No. 679, entitled "An ordinance regulating and permitting within certain hours the burning of brush, grass, leaves, shavings, straw, paper, boxes, garbage, rubbish, or filth of any kind in the city of Sacramento, and prescribing a penalty for the violation of this ordinance," passed November 14, 1904; and ordinance No. 826, entitled "An ordinance defining garbage, rubbish, and waste matter and providing for and regulating the keeping, gathering, receiving, disposing, and destruction thereof," passed February 3, 1908, are hereby repealed.

#### ST. PAUL, MINN.

#### Garbage—Receptacles—Collection. (Ord. 3861, Mar. 26, 1917.)

SECTION 1. "Garbage" shall be construed to mean all vegetable or animal matter which is the refuse or offal of the food of human beings.

SEC. 2. The owner of every building within the corporate limits of the city of St. Paul, inhabited, used, or occupied as a tenement, dwelling house, lodging house, or hotel, or in which any restaurant or lunch room is conducted, or in which any garbage is produced, shall provide and maintain sufficient, proper, and suitable receptacles for receiving and holding garbage. Said receptacles shall be of galvanized iron or other metal which will not easily rust and can be readily cleaned, and shall be provided with a close, well-fitting lid of the same

material, and shall not be less than 10 gallons nor more than 20 gallons capacity.

SEC. 3. The lid shall always be kept upon such garbage receptacles, and when removed for necessary purposes shall be immediately replaced. Said garbage receptacles shall be kept as sanitary as possible in view of the use to which they are put, and shall be thoroughly cleansed by washing, scalding, or otherwise, after garbage is removed by the collector.

SEC. 4. No dirt, ashes, sticks, stones, cans, broken dishes, bottles, paper, or like substances, or other substances unsuitable for animal food, shall be deposited in said garbage receptacles.

SEC. 5. All garbage receptacles shall be kept on the ground floor or yard in the rear of the premises at a place easily accessible to the garbage collector. All duly licensed garbage collectors shall have a right to enter upon any premises for the purpose of collecting and removing garbage, and no person shall obstruct, delay, or interfere with such garbage collectors in the performance of their duties.

SEC. 6. Any person violating the provisions of this ordinance shall be punished by a fine of not less than \$5 or more than \$100, or by imprisonment for not exceeding 90 days.



## **HEALTH AUTHORITIES.**

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### **ALTOONA, PA.**

#### **Health Officer—Qualifications, Duties, and Salary. (Ord. 466, Jan. 9, 1917.)**

SECTION 1. That from and after the passage of this ordinance the health officer of the city of Altoona shall be a sanitary engineer or bacteriologist, who shall be competent to make bacteriological and chemical tests of water and food products. He shall have full charge of the bureau of health in the department of public safety of the city of Altoona and shall perform all the duties now required to be performed by law by the health officer of the city and make such bacteriological and chemical tests of food products, sewage, and water as may be required by the council. He shall be appointed by the council and shall receive a salary of \$1,800 per year. He shall suggest to the council the names of the persons to be appointed as health inspectors and dairy and food inspectors, or, in case of a vacancy in the office of any employee in the bureau of health in the department of public safety, he shall suggest the name of the person or persons for appointment to fill said vacancy or vacancies.

### **CAMBRIDGE, MASS.**

#### **Commissioner of Health—Appointment, Duties, and Compensation. (Ch. 95, Special Act of Legislature Mar. 20, 1919.)**

SECTION 1. The mayor of the city of Cambridge shall, within 90 days after the taking effect of this act, appoint, subject to confirmation by the city council, one person to be commissioner of health for the city of Cambridge, whose term of office shall be five years, and who shall hold office until his successor is chosen and confirmed, but subject to removal by the mayor and city council at any time for cause. The commissioner shall take the place of the present board of health, which shall thereupon be abolished, and shall receive such compensation as shall be fixed by the city council.

SEC. 2. The said commissioner shall have supervision of the public health, city hospitals, with the exception of the Cambridge City Hospital, inspection of milk and vinegar, inspection of animals, and all other duties now pertaining either by statute or by ordinance to the board of health.

SEC. 3. This act shall take effect upon its acceptance by the city council and approval by the mayor.

#### **Certain Employees of Board of Health—Pensions for. (Ch. 120, Special Act of Legislature Apr. 3, 1919.)**

SECTION 1. The city of Cambridge may retire on pensions equal to one-half of the annual compensation last received by them any employees of the board of health of said city, or of any officer succeeding to the powers of said board, engaged in the work of inspection, disinfection, or prevention in respect to contagious diseases.

SEC. 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, provided that such acceptance occurs prior to the 31st day of December in the current year.

### COLUMBUS, GA.

#### Board of Health Control—Appointment, Powers, and Duties. (Ord. Oct. 5, 1918.)

SECTION 1. That from and after the passage of this ordinance the operation, management, and control of the public health and sanitary regulations of the city of Columbus shall be vested in a board of health control, which said board shall consist of five persons, who shall serve without compensation, and one of whom shall be elected from the board of aldermen as hereinafter provided; the members of said board shall be elected by the mayor and board of aldermen of the city of Columbus by ballot in the same manner and under the same rules and regulations as govern the election of officers for the city government; the term of office of the members of said board of health control, after the first election, except the member to be elected from the board of aldermen, shall be four years; the member to be elected from the board of aldermen shall be elected at the regular meeting of the mayor and board of aldermen in December of each year, who shall immediately enter upon the discharge of his duties and serve for a period of one year, or until his successor is elected and qualified; and said mayor and board of aldermen shall fill all vacancies which may arise in said board for any cause.

SEC. 2. The first election of the members of said board of health control shall occur at the meeting of the mayor and board of aldermen at which this ordinance is adopted, and the term of office of each is to begin within five days after election; the member from the board of aldermen shall serve until the regular meeting of the mayor and board of aldermen to be held in December, 1918, the other four members to constitute said board of health control, each shall be freeholders and not members of the mayor and board of aldermen, one of whom shall be elected to serve until the 1st day of January, 1920, another to serve until the 1st day of January, 1921, another to serve until the 1st day of January, 1922, and the other to serve until the 1st day of January, 1923; and at the regular July meeting of the mayor and board of aldermen preceding the expiration of the term of office of each of said members a successor to the member whose term of office expires on the 1st day of January following shall be elected for a term of four years, so that one member of said board shall be elected in July of each year, excepting the member to be elected from the mayor and board of aldermen, who shall be elected in the manner hereinbefore provided.

SEC. 3. That said board of health control shall elect from its members a chairman, who shall preside at all regular or special meetings of the board and shall perform such other duties in connection with the office of chairman as said board may prescribe; said board shall also elect a secretary, who shall keep a record of the proceedings of said board and be clothed with such other powers and duties as said board may prescribe; that said board shall make such by-laws, rules, and regulations as it may deem proper and advisable in order to carry out the spirit and purpose of its creation, and to keep such records and books, showing the receipts and disbursements made by said board as may be necessary, and shall submit to the regular monthly meeting of the mayor and board of aldermen a report of its receipts and disbursements, which said books and

records shall be open at all times to the inspection of the members of said board and of the mayor and board of aldermen of the city of Columbus, or by any one duly authorized by said mayor and board of aldermen.

SEC. 4. That said board of health control be, and it is hereby, vested with full power and authority to employ such person as it may deem proper as a health officer, and in making such employment said board shall have due regard to the education, fitness, and training of such person so employed as will qualify him for discharging the duties as chief officer of the health department and shall clothe such person with such power and authority as said board may deem proper and advisable; said board of health control, if it sees proper to do so, may permit such person to be also employed by the county board of health to look after the health and sanitary condition in the county of Muscogee and may cooperate with the county board of health for that purpose. Said board of health control shall also have full power and authority to employ sanitary inspectors and inspectors of milk, food, and meat as the necessities of the city and police district may require; it shall also have power and authority to equip a bacteriological and chemical laboratory and employ such bacteriologist and assistants as may be necessary and to equip prophylactic stations and have general supervision over the control of venereal diseases and to have and exercise the power and authority specified and mentioned in a certain act of the General Assembly of Georgia, adopted and approved at the session of the General Assembly of Georgia for 1918, in connection with such diseases, and to employ such policewomen and assistants, guards, school and public nurses, stenographers, and other servants and assistants as may be necessary and advisable to equip, conduct, and carry out such ordinances as heretofore have been and which may be enacted by the mayor and board of aldermen respecting the sanitary and health conditions and requirements of the city, and to carry out such rules and regulations as such board of health control may adopt for the proper execution of the power herein conferred.

Said board of health control shall have power and authority to establish such homes of detention as may be needful and necessary for venereal-disease control, including office and laboratory, and to promulgate and execute such rules and regulations for malarial control and sanitary privy installations as may be necessary and requisite for the proper sanitation of the city of Columbus and the police district contiguous to said city.

SEC. 5. Said board of health control shall have supervision and charge of the installation of sanitary closets, privies, vaults, and cesspools, and the cleaning of same, and the execution of all the ordinances of the city with respect to sanitary closets and privies, and shall see that such ordinances are properly enforced, and shall levy such charges against the occupants and owners of dwelling houses and other structures, including the premises whereon the same are located, for the purpose of cleaning all closets and privies thereon as in the judgment of said board are necessary to cover the costs of scavengers and scavenger wagons and trucks to keep said closets and privies in a proper and sanitary condition, and to require the payment for such services to be rendered by said board to be made in advance, either monthly or quarterly, as said board may deem the most feasible method of collecting the same from the property owners and tenants occupying the premises where such cleaning is rendered necessary.

SEC. 6. Said board of health control shall have supervision and charge over the inspection of milk and food and meat in the city of Columbus and in the police district, with full power and authority to make such rules and regulations respecting the inspection thereof as it may deem advisable, and to see

that all laws and ordinances of the city respecting the inspection thereof are properly enforced, and shall make such inspections of dairies and milk shops as may be selling milk in the city of Columbus and the police district, and shall have made inspections, examinations, and scorings of all places wherein is manufactured, sold, and exposed for sale [sic], and shall make or cause to be made inspection of dairy herds, animals for slaughter, and generally to have charge of all sanitary regulations respecting dairies, milk shops, slaughter-houses, meat shops, vegetable markets, provision shops, bakeries, delicatessens, and other places furnishing food supplies and offering the same for sale within the city of Columbus and the police district contiguous thereto and the enforcement of all ordinances of the city of Columbus respecting such sanitary conditions where food supplies are sold or offered for sale.

SEC. 7. Said board of health control are also invested with the power and authority to require practicing physicians in said city and police district to make reports of communicable diseases, so that proper steps can be taken to eradicate the same, and generally said board are hereby invested and clothed with all power and authority over food, health, and sanitary conditions in the city of Columbus and the police district, and to fix compensation of all persons employed in connection with the health and sanitary departments and to purchase such property as may be needful and necessary to carry out the power and authority herein conferred, but in no event shall said board incur any debts or obligations for or on behalf of the city of Columbus or permit the expenses incurred to exceed appropriations previously made by the mayor and board of aldermen for that purpose and any donations made to it by the health authorities of the county of Muscogee or others.

SEC. 8. Said board of health control is hereby invested with power and authority to receive donations from any and all sources to aid and assist in carrying on the department and in discharging the powers and duties herein conferred, and are hereby invested with power and authority to make such arrangements with the duly constituted officers of the county of Muscogee for the division of expenses incurred, either in the employment of the necessary officers, agents, and servants or in the equipping of a laboratory and prophylactic stations and homes of detention, and such other expenses as may be incurred in executing the powers conferred in this ordinance as it may see fit; and said board of health control is hereby given authority to make such arrangement with the board of health of Muscogee County or the county commissioners of Muscogee County in the employment of the officers, agents, and servants who may be employed in connection with the health and sanitary departments of the city, in case it should desire to make any arrangements to that end and purpose, as it may see fit.

SEC. 9. That the treasurer of the city of Columbus shall act as treasurer of said board of health control and shall disburse all sums of money for and in behalf of said board, and which may be appropriated by the city of Columbus for the use of said board in defraying the expenses incident to the powers herein created, and all sums of money which may be donated to said board of health control or to the city of Columbus for aiding and assisting in the support of its health and sanitary department, from whatever source derived, shall be by said board of health control turned over to the treasurer of said city, to be by him expended and disbursed in the same manner as appropriations made by the council for that purpose.

SEC. 10. That said board of health control shall have and exercise the powers and authority herein delegated over all the territory contiguous to the city of Columbus in the county of Muscogee, known as the police district, as defined in

the charter of the city of Columbus, over which said police district said board of health control is given power and authority over the public health in the same manner and to the same extent as is hereby conferred within the limits of said city.

SEC. 11. That in order to determine the amount of annual appropriations necessary to support and maintain the sanitary and health department of the city of Columbus said board of health control shall submit budgets of estimated expenses for the ensuing year at the regular December meeting of the mayor and board of aldermen, and said board shall submit an annual report at the December meeting of each year showing the complete operation of the sanitary and health department for the preceding year and the costs and expenditures made in connection therewith.

#### FORT DODGE, IOWA.

##### City Health Physician—Qualifications, Appointment, Powers, Duties, and Salary. (Ord. 628, Dec. 16, 1919.)

SECTION 1. That the office of city health physician in and for the city of Fort Dodge, Iowa, is hereby created, and said office shall be filled by appointment by the mayor and city council of said city.

SEC. 2. The city health physician appointed under the provisions of this ordinance and the laws of the State of Iowa must be a lawful practicing physician, holding proper certificate of authority to practice medicine within the State of Iowa; must be a citizen of said State and a resident of the city of Fort Dodge.

SEC. 3. Said officer shall devote all of his time to the duties of said office and shall not engage in the practice of medicine outside of his duties as such health physician. He shall be furnished an office in the city hall and shall devote all his time to the performance of the duties of the city health physician.

SEC. 4. He shall be the medical advisor of the local board of health of the city of Fort Dodge and of the mayor and city council thereof, and shall investigate all suspected cases of contagious disease and make prompt reports thereof to the mayor and local board of health, provided such cases are not attended by a regular physician, but if attended by a regular physician, then the city health physician shall have the right, if he thinks proper, to also investigate and report on such cases.

SEC. 5. It shall be his duty to fully investigate and act upon all matters pertaining to the public health and sanitary condition of the city of Fort Dodge and to advise with the mayor and city council and board of health on all questions pertaining to sanitary affairs and public health, and upon all matters coming under his supervision.

SEC. 6. He shall perform such other duties as are now required by the laws of the State of Iowa and the ordinances of the city of Fort Dodge or the regulations of the State or local board of health and such further duty as may during his term of office be prescribed by law or by resolution of the city council or regulation of the State or local board of health.

SEC. 7. Said officer shall receive a salary of \$208.33½ per month, payable semimonthly, commencing on the 1st day of November, 1919, which said salary shall be in full for all services performed by him as such city health physician.

SEC. 8. He shall qualify by taking oath to faithfully and impartially discharge the duties of his office and shall file bond conditioned for the faithful discharge of said duties in the penal sum of \$2,000, with surety thereon to be approved by the mayor and city council.



## GRAND FORKS, N. DAK.

**Public Health and Sanitation Officer—Qualifications, Appointment, Duties, and Salary. (Ord. 394, May 5, 1919.)**

SECTION 1. There is hereby created and established the office of public health and sanitation officer, who shall be appointed by the mayor, with the approval of the city council, and who shall hold his office for a period of two years and until his successor is appointed and qualified. He shall be a person proficient in matters of public health and sanitation and qualified and competent to analyze and test water, milk, cream, and other articles of food and drink.

SEC. 2. The public health and sanitation officer shall receive for his services a salary of \$1,800 per annum, and shall give bond in the sum of \$1,000 with sufficient sureties to be approved by the city council, conditioned for the faithful and impartial performance of his duties as public health and sanitation officer, and pay over to the city treasurer all moneys belonging to the city which may come into his hands and deliver all property belonging to the city to his successor in office, which bond shall be filed in the office of the city auditor.

SEC. 3. Such public health and sanitation officer shall perform and discharge all his duties as such public health and sanitation officer under the direction, supervision, and control of the board of health of the city of Grand Forks, N. Dak.

SEC. 4. The duties of such public health and sanitation officer shall be as follows:

(a) He shall have general supervision of the filter and shall have full charge and control of the chemical treatment and purification of the water. He shall supervise and direct the amounts and kind of chemicals used in the purification of the water and shall give directions in regard to the point where the chemicals are to be mixed with the raw water. He shall make bacteriological and chemical analysis of the filtered water at least three times a week for the purpose of determining the efficiency of the chemicals, which analysis shall at all times be open to the public; he shall make a monthly report of the condition of the filter and the result of the bacteriological and chemical analysis to the mayor and city council, which report shall be filed with the city auditor and shall be open to public inspection at any and all times.

(b) He shall secure, analyze, and test samples of milk and cream; inspect dairy herds and dairies, and generally perform all the duties required of the milk inspector under and by virtue of the provisions of ordinance No. 385 of the city of Grand Forks.

(c) It shall be his duty to inspect all meats, fish, oysters, birds, fowl, vegetables, fruits, and other provisions produced or prepared in or brought into the city of Grand Forks designed for human food and held or exposed for sale or other disposition within the city of Grand Forks, in any public or private market, bakery, stall, shop, stores, restaurant, hotel, or other place, or by any vendor or street hawker or other individual, and shall carry out and perform each and all of the duties required of the inspector of provisions as provided in ordinance No. 310, as amended by ordinance No. 347 of the city of Grand Forks.

(d) He shall supervise all the sanitary conditions of the city and shall perform the general duties of the city health officer as provided by statute and the ordinances of the city of Grand Forks.

(e) He shall assist in the weekly clinic at the settlement house.

SEC. 5. The office of supervisor of water-filter system provided for by ordinance No. 329, the office of inspector of provisions provided for by ordinance

No. 310, and the office or position of milk inspector provided for by ordinance No. 385 are, each and all of them, abolished and the duties imposed upon such officers by said ordinances shall hereafter be performed by the public health and sanitation officer.

SEC. 6. All subordinates and employees necessary to carry out such work shall be appointed by the mayor when their employment is authorized by the city council.

SEC. 7. Ordinance No. 329, sections 1 and 2 of ordinance No. 310, and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

### IOWA CITY, IOWA.

#### Public Health Nurse—Appointment, Qualifications, Duties, and Salary. (Ord. 1276, May 5, 1919.)

SECTION 1. *Appointment.*—That at the first meeting of the city council in 1919, subsequent to the adoption and publication of this ordinance, and at the first regular meeting in May, 1920, and each year thereafter, the city council shall employ a city public health nurse, who shall hold office for one year.

SEC. 2. *Qualifications.*—That said public health nurse shall be a registered nurse or a graduate nurse, as defined in chapter 16-D of the Supplement to the Code of Iowa 1913, or such other nurse as the board of health and the city health officer may deem qualified.

SEC. 3. *Duties.*—The public health nurse shall, at all times in the performance of her duties as such, be under the direction and control of the board of health and of the city health officer and shall perform her duties as follows:

1. She shall care for the needy sick in their homes.
2. She shall advise parents and guardians as to the proper care and feeding of the children under their care.
3. She shall assist in the enforcement of the public health regulations provided by the local board of health and the Iowa State Board of Health.
4. She shall, so far as possible, cooperate with the school nurses and with the organized social welfare agencies of this city.
5. She shall keep a record of her work, and shall make reports monthly to the board of health in such form as the city health officer and the board of health may direct and approve.

SEC. 4. The public health nurse shall be free to accept other work in conjunction with her duties as public-health nurse, but such other work shall in no way interfere with her duties as public health nurse, and she shall be at all times subject to the call of the city health officer.

SEC. 5. *Compensation.*—She shall receive an annual salary of \$900, payable monthly, in full compensation for her services as public-health nurse, except that she may receive compensation for work done by her not in her capacity as public-health nurse.

### LOUISVILLE, KY.

#### Health Department—Placed Under Board of Public Safety—Qualifications and Salaries of Officers and Employees. (Ord. 153, Dec. 12, 1918.)

SECTION 1. That the health department, within and for the city of Louisville be, and the same is hereby, created and placed under the board of public safety, as authorized by law.

SEC. 2. There may be in said department, to be appointed by the board of public safety, the number of officers and employees prescribed in this ordinance,

and no more, and their salaries and compensation, to be approved by the board of public safety, shall be no more than the sums fixed by the ordinance and the pay rolls for said department shall be made up, certified, and registered, and said salaries and compensations shall be payable in accordance with the provisions of this ordinance and other ordinances covering the subject of pay rolls, claims, and salaries, and not otherwise, to wit:

## HEALTH DEPARTMENT.

Chief health officer, to be appointed by the board of public safety, who shall be a regular physician, and who shall have general supervision, under the direction of the board of public safety, of the health department, and its officers and employees herein authorized, and whose salary, per annum, shall be-----	\$3, 000
There may also be appointed by the board of public safety and subject to removal at the pleasure of said board at any time the following additional officers and employees, who shall perform such duties as may be assigned to them by the chief health officer, with the approval of the board of public safety, in addition to those duties which may be indicated by their respective titles herein, and whose salaries and compensation shall not exceed the salaries and compensation hereinafter set forth, to wit:	
1 assistant health officer, who shall be a regular physician, and in the absence or disability of the chief health officer he shall discharge temporarily the duties of the chief health officer. He is also designated as chief of the division of communicable diseases, and, under the general supervision of the chief health officer, shall have supervision of the epidemiological work of the health department, at a salary, per annum, of-----	2, 000
1 bacteriologist and chemist (qualified as both bacteriologist and chemist), at a salary, per annum, of-----	2, 400
1 stenographer to the health officer at a salary, per annum, of-----	1, 020
1 chief of division of foods at a salary, per annum, of-----	1,800
1 secretary of the health department, who shall also be chief of the division of sanitation, at a salary, per annum, of-----	1, 600
1 medical inspector at a salary, per annum, of-----	1, 800
6 school inspectors at a salary, per annum, each, of \$1,200, aggregating the sum of-----	7, 200
6 sanitary inspectors at a salary, per annum, each, of \$1,200, aggregating the sum of-----	7, 200
1 registrar at a salary, per annum, of-----	1, 020
6 school nurses, who shall be registered nurses, at a salary, per annum, of \$1,020 each, aggregating the sum of-----	6, 120
4 field nurses, who shall be registered nurses, at a salary, per annum, of \$1,020 each, aggregating the sum of-----	4, 080
2 clerks at salary, per annum, of \$600 each, aggregating the sum of-----	1, 200
1 technician at a salary, per annum, of-----	1, 020
1 stenographer at a salary, per annum, of-----	900
1 laboratory diener at a salary, per annum, of-----	600
1 veterinarian and inspector, who shall be a graduate of a well-recognized veterinary college, a part of whose duties shall be the inspection and treatment of live stock belonging to the city, at a salary, per annum, of-----	1, 800
1 physician for eastern district at a salary, per annum, of-----	1, 200
1 physician for western district at a salary, per annum, of-----	1, 200
1 physician for the indigent colored people of the city, who may also be assigned by the chief health officer to the examination of colored school children, at a salary, per annum, of-----	1, 200
69 employees-----	45, 360

SEC. 3. The board of public safety, in cases of emergency, and with the approval of the mayor, shall have the power to employ additional help in the health department, the salaries and compensation of same to be fixed by the board of public safety; and the names of such employees shall appear on the regular pay roll as "special employees"; and said special employees may be dismissed at any time by the board of public safety.

SEC. 4. The ordinance approved March 16, 1918, and entitled "An ordinance concerning the departments under the board of public safety and fixing the

number, salaries, and compensations of the officers and employees therein," and all ordinances and parts of ordinances in conflict herewith are hereby repealed.

**Police Officers—Required to Abate Certain Nuisances. (Ord. Oct. 6, 1917.)**

SECTION 1. The police department of the city of Louisville shall constitute an active adjunct to the health department. The individual members of the police department shall be and are hereby authorized to perform the duties of sanitary inspectors.

SEC. 2. Patrolmen shall abate those nuisances which have no direct bearing on the spread of communicable diseases, such as ash piles, or other accumulation of rubbish, unsightly matters in general, weeds, chicken yards, slop water, bad odors, and similar conditions.

SEC. 3. Patrolmen shall also investigate, report upon, and abate such other nuisances as may be directed by the board of safety.

SEC. 4. Members of the police department shall be furnished with copies of ordinances relating to public health in the city of Louisville for their information and guidance.

**NEW YORK, N. Y.**

**Board of Health—How Constituted—Appointment and Duties of Commissioner of Health. (Ch. 404, Act of Legislature May 7, 1917.)**

SECTION 1. Section 1167 of the Greater New York charter, as reenacted by chapter 466 of the laws of 1901, is hereby amended to read as follows:

**THE BOARD OF HEALTH THE HEAD OF THE DEPARTMENT OF HEALTH.**

SEC. 1167. The head of the department of health shall be called the board of health. Said board shall consist of one commissioner to be called the commissioner of health, the police commissioner, and the health officer of the port; and in the event that such office of health officer of the port be abolished, the board of estimate and apportionment shall designate a duly qualified physician to be a member of the board of health in place of such health officer of the port. The commissioner of health shall be appointed by the mayor, shall hold office as provided in chapter 4 of this act, and shall be the president of the board of health. The commissioner of health shall be the executive officer of the health department. The terms of office of the three officers called commissioners of health, except the president of the board of health, appointed pursuant to the provisions of the Greater New York charter, shall cease and determine on the 1st day of January, 1902, and the said president shall thereupon become the commissioner of health.

**PITTSFIELD, MASS.**

**Health Officer—Qualifications, Appointment, Duties, and Compensation. (Ord. Dec. 28, 1918.)**

SECTION 1. A city health officer, who shall be a person experienced in sanitation and public health administration, shall be nominated and appointed in January, 1919, and in every fifth year thereafter, to serve for the term of five years from the first Monday of February then next ensuing, by the mayor, by and with the advice and consent of the board of health and the board of aldermen convened in joint session.

**SEC. 2.** Such officer shall be the administrative officer of the board of health. His duties shall be to execute and administer the laws and regulations relative to health and sanitation. He shall be active and vigilant in the interest of the health of the people of the city and the improvement of all conditions contributing thereto. He shall have supervision and direction of the other employees of the board of health; shall propose and so far as possible establish activities and agencies for the improvement of public health, the removal of causes of sickness and the sanitation of dwellings and other premises. He shall perform the duties of any offices under the health laws of the Commonwealth to which he may be appointed by municipal authority. He shall fulfill all duties coming within the customary province of a health officer, subject to the general control of the board of health.

**SEC. 3.** The city health officer shall receive compensation at a rate to be fixed by the concurrent vote of the city council. The mayor shall nominate the city health officer at least seven days prior to his full appointment as hereinbefore provided. If a person so nominated be rejected the mayor shall, if possible, make another nomination within 10 days from the time of such rejection. In the event of a vacancy, the nomination and appointment shall be made in the same manner for the unexpired term.

#### PORT CHESTER, N. Y.

#### Health Officer—Appointment, Qualifications, Powers, and Duties—Monthly Reports to State Commissioner of Health. (Reg. Jan. 21, 1918.)

##### CHAPTER 2. HEALTH OFFICER.

**REGULATION 1. Appointment and qualifications of health officer.**—The health officer shall be appointed by this board as provided for by law. No person shall be appointed health officer unless he has the qualifications prescribed by the public health council, or unless he has been duly exempted from such qualifications by the public health council.

**REG. 2. Powers and duties of health officer.**—The health officer shall be the executive officer of this board. He shall have all the powers conferred upon health officers by the public health law, or other law or laws of the State, and by the sanitary code. He shall execute and comply with all of the provisions of law, of the sanitary code and of these regulations. He shall further execute and comply with all orders of this board and of the State department of health.

**CH. 7. REG. 7. Health officer to file monthly reports with the State commissioner of health.**—The health officer shall submit monthly reports to the State commissioner of health on forms to be prescribed by the State commissioner of health.

#### PORTLAND, ME.

#### Officers of Board of Health—Unlawful to Pose As or to Obstruct. (Reg. Bd. of H., June 14, 1917.)

**SECTION 1.** Whoever knowingly and falsely assumes to be a health officer, deputy health officer, sanitary inspector, milk inspector, market inspector, plumbing inspector, or other representative of the board of health of the city of Portland, and to act as such, or knowingly and falsely assumes to discharge any of the duties of any such officer or inspector, or knowingly and willfully invites or receives any communications, document, record, or letter properly



belonging to any such officer or inspector, relating to the office or official business of such officer or inspector, or in any way knowingly and willfully obstructs or delays such officer or inspector in the discharge of any of his official duties shall be punished by imprisonment not exceeding five years or by fine not exceeding \$5,000, or both such fine and imprisonment.

### QUINCY, MASS.

**Health Commissioner—Appointment, Removal, Powers, and Duties. (Ch. 25, Special Act of Legislature Feb. 19, 1919.)**

SECTION 1. The board of health and the office of inspector of milk of the city of Quincy are hereby abolished, and in place thereof and in succession thereto there is hereby established the office of health commissioner of said city. The health commissioner shall be vested with all the powers and duties heretofore exercised and performed by the board of health and inspector of milk of said city and that may hereafter be given to or imposed upon boards of health or inspectors of milk of cities. He may appoint such deputy commissioners, agents, and inspectors from time to time as he may deem necessary, and he may delegate to them from time to time such of his powers and duties as he may designate.

SEC. 2. The health commissioner shall be appointed annually by the mayor without confirmation by the city council, and may be removed at any time by the mayor on written notice filed with the city clerk.

### SACRAMENTO, CALIF.

**Department of Public Health and Sanitation—Divisions—Qualifications, Powers, Duties, and Salaries of Officers and Employees. Reports of Births, Deaths, and Stillbirths. (Ord. 269, Mar. 6, 1917.)**

#### ARTICLE I.

SECTION 1. The department of public health and sanitation shall consist of the commissioner of public health and safety, a health officer, a city physician, an emergency surgeon, a city bacteriologist, a laboratory attendant, a city analyst, a food and market inspector, a chief assistant food and market inspector, and such number of assistant food and market inspectors as shall be necessary, a plumbing inspector and one assistant plumbing inspector, an assistant to the health officer, a sanitary inspector and such number of assistant sanitary inspectors as shall be necessary, a river patrol officer, a secretary to the department of public health and sanitation, a personal secretary to the health officer, and such number of physicians and trained nurses as may be necessary by reason of an epidemic of contagious diseases, and an advisory board.

SEC. 2. The department of public health and sanitation shall consist of the following divisions:

1. The physician's and surgeon's division.
2. The bacteriological division.
3. The chemical and analytical division.
4. The food and market inspection division.
5. The plumbing inspection division.
6. The sanitary inspection division.
7. The statistical division.
8. The contagious diseases division.
9. Advisory board to the department of public health and sanitation.

**SEC. 3.** The health officer of the city of Sacramento shall exercise all the powers and perform all the duties that are now or may hereafter be conferred or imposed upon him by any law of the State of California, by the provisions of the charter of the city of Sacramento, by ordinance, by the direction of the city commission, or by the commissioner of public health and safety. He must keep a record of all births, deaths, and interments occurring in the city of Sacramento, and to that end all physicians and midwives must on or before the 1st day of each month make a return to the health officer of all births, deaths, and the number of stillborn children occurring in their practice during the preceding month, and in the absence of such attendants the parent must make a report of the birth of a child within 10 days thereafter. He shall exercise a vigilant supervision over all matters appertaining to the health and sanitation of the city, and may make rules and regulations thereto as are not inconsistent with law. He shall have control and direction of all the officers and employees under him and must devote all of his time to the service of the city.

**SEC. 4.** There shall be a personal secretary to the health officer, who shall perform such duties as may be required.

#### **ART. 2 THE PHYSICIAN'S AND SURGEON'S DIVISION.**

**SECTION 1.** The physician's and surgeon's division shall consist of the city physician and the emergency surgeon.

**SEC. 2.** The city physician shall be a physician and surgeon authorized to practice medicine in the State of California. He shall attend, when called upon, the indigent sick and wounded in the city, and shall also attend, without extra compensation, any members of the police or fire departments injured in the discharge of duty. He shall have charge of the receiving or emergency hospital or dispensary established for the care of the wounded and treatment of the indigent. He shall devote such time as shall be necessary to the performance of the duties of his office as herein prescribed, or as required by law, ordinance of the city, rules of the department of public health and sanitation, or the orders of the health officer.

**SEC. 3.** The emergency surgeon shall possess the same qualifications as the city physician and shall be an assistant to the city physician. The emergency surgeon shall respond at any time during the day or night to attend any wounded person brought to the emergency hospital, and may be required to perform any of the duties imposed upon the city physician.

#### **ART. 3. THE BACTERIOLOGICAL DIVISION.**

**SECTION 1.** The city bacteriologist shall be a duly licensed physician authorized to practice medicine in the State of California, and shall be an expert bacteriologist. He shall be in charge of the bacteriological laboratory maintained by the city, and shall make all bacteriological examinations of milk, water, food, and food-product samples submitted to him in his official capacity by any member of the public health department, and shall also make tests for typhoid fever, diphtheria, and other diseases when requested by the health officer or the city physician. He shall devote to the service of the city so much of his time as may be necessary to properly perform the duties imposed upon him by this ordinance.

**SEC. 2.** There shall be a laboratory attendant, who shall assist the bacteriologist in the care of the laboratory, and shall perform such other duties as may be required of him by the bacteriologist or the health officer.

## ART. 4. THE CHEMICAL AND ANALYTICAL DIVISION.

SECTION 1. The city analyst shall be a graduate chemist holding a diploma from a recognized technical school or college, with not less than five years' experience in analytical chemistry. He shall make at his own expense such chemical work as may be required of him by the health department [sic].

## ART. 5. THE FOOD AND MARKET INSPECTION DIVISION.

SECTION 1. The food and market inspection division shall consist of the food and market inspector, the chief assistant food and market inspector, and such number of assistant food and market inspectors as shall be necessary to properly perform the duties of that office, of whom a sufficient number shall be appointed as inspectors of itinerant vending of foodstuffs.

SEC. 2. The food and market inspector shall be a veterinary surgeon of approved standing and duly licensed to practice his profession in this State with at least five years' experience.

SEC. 3. The food and market inspector shall enforce all laws of the State of California and ordinances of the city of Sacramento now in force or that may hereafter be adopted in relation to the sale, exchange, disposal, or distribution in the city of Sacramento of food intended for human consumption. He shall inspect markets, hotels, restaurants, slaughterhouses, and all other places where food is stored, prepared, or offered for sale and do all other things that may be required of him in relation to the health of the city of Sacramento.

SEC. 4. The food and market inspector, the chief assistant food and market inspector and all assistant food and market inspectors shall have the power of police officers in performing their duties.

SEC. 5. The chief assistant food and market inspector shall have the same qualifications, except that of experience, shall perform the same duties, and shall have the same authority as the food and market inspector, but subject to the direction of the food and market inspector.

SEC. 6. The inspectors of itinerant vending of foodstuffs shall enforce all laws of the State of California, and ordinances of the city of Sacramento now in force, or that may hereafter be adopted, in relation to the peddling, hawking, or otherwise selling or disposing of foodstuffs by itinerant merchants or salesmen of any sort or description. Said inspectors shall have the power of police officers in the performance of their duties, and shall wear stars. They shall be provided by the city of Sacramento with suitable means of quick transportation.

## ART. 6. THE PLUMBING INSPECTION DIVISION.

SECTION 1. The plumbing inspection division shall consist of the plumbing inspector and the assistant plumbing inspector.

SEC. 2. The plumbing inspector shall be a master plumber of at least five years' experience as such in the city of Sacramento.

SEC. 3. The plumbing inspector shall receive and file all plans and specifications for proposed plumbing to be installed in the city of Sacramento and record the names of the owner and architect and the location of the proposed installation. He shall examine said plans and specifications, and if the same be in accordance with law, the ordinances of the city, and the rules of the health department he shall issue a permit for the work to proceed. Any plan that does not, in his judgment, conform to such law, ordinances, or rules shall be by him presented to the health officer, and if not then approved the same shall be returned to the person presenting it with a written notice explaining the corrections necessary in order to comply with such law, ordinances, or rules.

He shall examine all plumbing work before the same is covered or inclosed, and if it be found in accordance with the law and the rules and in compliance with the plans and specifications filed he shall issue a certificate to that effect; and upon the completion of any plumbing work he shall examine the same, and if it be found to conform to the law, the ordinances of the city of Sacramento, and the rules of the health department, and with the plans and specifications on file in his office he shall issue a final certificate therefor.

He shall make such reports to the health officer of the work under his supervision as may be required. Upon receiving knowledge of any infraction of the law, ordinances of the city, or rules of the department regarding the health of the city or its inhabitants he shall immediately make the same known to the health officer.

SEC. 4. The assistant plumbing inspector shall be a skilled and practical plumber, duly licensed to practice plumbing in the city of Sacramento, with at least two years' experience in plumbing, and shall perform such duties as may be required of him by the plumbing inspector or the health officer.

#### ART. 7. THE SANITARY INSPECTION DIVISION.

SECTION 1. The sanitary inspection division shall consist of the assistant to the health officer, the sanitary inspector, the river patrol officer, and such number of assistant sanitary inspectors as shall be necessary to enforce the sanitary laws, ordinances, and rules and regulations, and protect the health of the inhabitants of the city of Sacramento.

SEC. 2. The sanitary inspector shall possess and present a certificate from a regular registered physician of the city of Sacramento stating that he possesses the required qualifications to fill said office before applying for examination before the civil service examination board of the city.

SEC. 3. The assistant to the health officer, the sanitary inspector, the assistant sanitary inspectors, and the river patrol officer shall be clothed with the power of police officer in the performance of their duties, and shall make a systematic examination of all parts of the city where any noxious or offensive substances are supposed to exist, and for this purpose they shall be permitted to enter, in the daytime, any house, store, stable, or other building, and all vessels in port, and, should it be deemed necessary, to cause the floors to be raised for the purpose of examining cellars, vaults, drains, or cesspools; they shall inspect and examine all low places within the city limits, and cause all stagnant water to be drained off, where practicable; and all pools, sinks, vaults, and drains to be cleaned, filled up, or otherwise improved; require all privies to be cleaned and kept in good condition; require the use of such disinfectants and in such quantities as the health officer may direct, and cause all dead animals or other nauseous and unwholesome substances to be buried or removed beyond the limits of the city; and shall cause the arrest of and vigorously prosecute any person violating any of the said laws and regulations. The assistant to the health officer, the sanitary inspector, the assistant sanitary inspectors, and the river patrol officer shall perform such other duties as may be required of them by the health officer.

SEC. 4. The assistant to the health officer shall be an officer of the second class, and shall be appointed by and hold office at the pleasure of the commissioner of public health and safety.



## ART. 8. STATISTICAL DIVISION.

SECTION 1. There shall be a secretary to the department of public health and sanitation, who shall be the statistician of the department and the custodian of the records.

## ART. 9. CONTAGIOUS DISEASES DIVISION.

SECTION 1. Should an epidemic of any contagious disease occur in the city of Sacramento there shall be such number of physicians and trained nurses employed as in the opinion of the health officer and the advisory board may be considered necessary to properly care for and protect the public health, such employment to continue only so long as such disease is epidemic. The rate of compensation of the physicians and nurses herein provided for shall be fixed by mutual agreement between the commissioner and such persons before they enter upon their duties under such employment.

## ART. 10. ADVISORY BOARD.

SECTION 1. The advisory board shall consist of the city physician, city engineer, and three physicians resident of the city of Sacramento, duly licensed to practice in the State of California, who may be appointed to said board by the commissioner of public health and safety, and shall serve without compensation.

SEC. 2. The advisory board may meet as often as convenient or desirable for the purpose of discussing health and sanitation in the city of Sacramento, and they shall meet at such time as may be requested by the health officer for the purpose of advising with the health officer regarding the health and sanitary conditions of the city.

## ART. 11. APPOINTMENT AND EMPLOYMENT.

SECTION 1. All of the officers and employees herein provided for shall, subject to the provisions of article 15 of the city charter, be appointed by and hold office at the pleasure of the commissioner of public health and safety.

SEC. 2. The city physician, emergency surgeon, bacteriologist, chemist, food and market inspector, and assistant food and market inspector are hereby declared to be professionally educated persons within the meaning of section 185 of said charter.

## ART. 12. COMPENSATION.

SECTION 1. The officers and employees mentioned in this ordinance shall receive the following respective amounts in full compensation for all services performed by them, and each of them, for the city of Sacramento, payable in equal monthly installments at the same time and in the same manner as other officers and employees of the city are paid, to wit:

The health officer \$3,000 per annum.

Assistant to health officer, \$1,800 per annum.

Personal secretary to health officer, \$1,200 per annum.

City physician, \$2,100 per annum.

Emergency surgeon, \$1,500 per annum.

Bacteriologist, \$1,800 per annum.

Laboratory attendant, \$960 per annum.

Analyst, \$1,500 per annum.

Food and market inspector \$2,400 per annum.

Chief assistant food and market inspector, \$1,620 per annum.



Assistant food and market inspectors, each, \$1,200 per annum.

Plumbing inspector, \$1,500 per annum.

Assistant plumbing inspector, \$1,200 per annum.

Sanitary inspector, \$1,500 per annum.

Assistant sanitary inspectors, each, \$1,200 per annum.

River patrol officer \$600 per annum.

Secretary to department of public health and sanitation, \$900 per annum.

*Provided*, That in addition to the above compensation the city may furnish transportation or means of transportation to the sanitary inspector, assistant sanitary inspector, city physician, assistant to health officer, food and market inspector, assistant food and market inspectors, the plumbing inspector, and the city bacteriologist.

#### ART. 13. BONDS.

SECTION 1. The following-named officers shall, before entering upon their duties as such, make and file an official bond to the amounts hereinafter required, to wit:

The health officer, \$5,000.

Assistant to health officer, \$1,000.

City physician, \$5,000.

Emergency surgeon, \$1,000.

Bacteriologist, \$1,000.

Chemist and analyst, \$1,000.

Food and market inspector, \$1,000.

Plumbing inspector, \$1,000.

#### ARTICLE 14.

SECTION 1. Chapter 4 of ordinance No. 17, entitled "An ordinance consolidating, revising, and codifying the ordinances of the city of Sacramento," passed June 27, 1872; ordinance No. 486, entitled "An ordinance creating the office of milk, food, and market inspector, and fixing the salary and prescribing the duties thereof," passed March 14, 1918; ordinance No. 718, entitled "An ordinance amending section 3 of ordinance No. 486, entitled 'An ordinance creating the office of "milk, food, and market inspector," and fixing the salary and prescribing the duties thereof,' passed March 14, 1898," passed December 18, 1905; ordinance No. 147, third series, entitled "An ordinance providing for the department of public health and sanitation, designating the officers, members, and attachés thereof, defining their duties, fixing their compensation, and declaring the amount of the official bond which shall be required of certain members thereof; designating the divisions of which said department shall consist, and declaring the jurisdiction of each division," passed February 27, 1914; ordinance No. 212, third series, entitled "An ordinance to create the office of assistant to the health officer of the city of Sacramento; declaring said office an office of the second class; prescribing the duties thereof; fixing the amount of his compensation and the amount of bond to be furnished by said officer," passed September 23, 1915; ordinance No. 213, third series, entitled "An ordinance providing for the enforcement of the regulations of the department of public health and sanitation, fixing the powers of the officers, providing what violations of said ordinance shall constitute a misdemeanor, prescribing the penalty therefor, and declaring said ordinance to be an urgency measure," passed September 23, 1915; ordinance No. 214, third series, entitled "An ordinance to amend section 1 of article 1, section 2 of article 2, article 7, section 1 of article 13, and article 14, and to repeal section 2 of article 7

of ordinance No. 417, third series, entitled 'An ordinance providing for the department of public health and sanitation, designating the officers, members, and attachés thereof, defining their duties, fixing their compensation, and declaring the amount of the official bond which shall be required of certain members thereof, designating the division of which said department shall consist, and declaring the jurisdiction of each division,' passed September 23, 1915; ordinance No. 232, third series, entitled "An ordinance to amend section 1 of article 13 of ordinance No. 214, third series, entitled 'An ordinance to amend section 1 of article 1, section 2 of article 2, article 7, section 1 of article 13, and article 14, and to repeal section 2 of article 7 of ordinance No. 147, third series, entitled "An ordinance providing for the department of public health and sanitation, designating the officers, members, and attachés thereof, defining their duties, fixing their compensation, declaring the amount of the official bond which shall be required of certain members thereof, designating the divisions of which said department shall consist, and declaring the jurisdiction of each division,"' passed September 23, 1915," passed March 7, 1916; and ordinance No. 235, third series, entitled "An ordinance to repeal article 8 of ordinance No. 147, third series, entitled 'An ordinance providing for the department of public health and sanitation; designating the officers, members, and attachés thereof; defining their duties, fixing their compensation, and declaring the amount of the official bond which shall be required of certain members thereof; designating the divisions of which said department shall consist; declaring the jurisdiction of each division,' passed February 27, 1914," passed March 16, 1916, are hereby repealed.

SEC. 2. It is hereby declared to be a misdemeanor, punishable by a fine not exceeding \$100, or by imprisonment in the city jail not exceeding one month, or by both such fine and imprisonment, for any person, firm, or corporation in the city of Sacramento to fail or refuse to comply with the directions or orders of the officers of the department of public health and sanitation pertaining to the sanitary conditions of their building, vault, cesspool, or low places within the city of Sacramento.

### SYRACUSE, N. Y.

**Department of Public Health—Establishment—Appointment, Powers, and Duties of Commissioner of Health and Other Officers and Employees—Appeals from Orders of Commissioner of Health—Sanitary Code—Advisory Board. (Ch. 353, Act of Legislature May 3, 1919.)**

SECTION 1. *Department of public health established.*—A department of public health in and for the city of Syracuse is hereby established. The commissioner of health shall be the head of such department. He shall be appointed by the mayor and serve for a term of four years unless sooner removed by the mayor. No person shall be eligible to appointment as commissioner of health unless he shall be a physician and surgeon duly licensed to practice under the laws of this State or of another State and who has practiced as such or has been engaged in public health work for at least five years. The commissioner of health may appoint and at pleasure remove a deputy commissioner of health, who shall be a registered physician and surgeon, and such subordinates as shall be prescribed by the board of estimate and apportionment. Before entering upon the discharge of his duties the commissioner of health shall execute and file with the city clerk such official undertaking as the common council shall prescribe.

SEC. 2. *Commissioner of health; powers and duties.*—The commissioner of health shall exercise all the powers and be charged with all the duties now or

hereafter conferred upon or required of local boards of health or local health officers by the laws of this State so far as the same pertain to cities, except as limited or extended by the provisions of this act. The commissioner of health shall also possess such powers and perform such duties as may be prescribed by ordinances of the common council, by this act, or otherwise by law.

**SEC. 3. Sanitary code.**—The commissioner of health shall formulate, adopt, promulgate, and enforce complete ordinances, rules, and regulations for the security of life and health in the city of Syracuse. Such ordinances, rules, and regulations shall be known as the sanitary code of such city. The commissioner of health in conjunction with the board of examining plumbers of such city shall formulate, adopt, and promulgate rules and regulations for plumbing and drainage which shall govern the same. Such rules and regulations shall be included in and constitute a part of such sanitary code. Before such rules and regulations shall take effect they shall be approved by the mayor. Such sanitary code may embrace all matters and subjects to which, and so far as the jurisdiction, power, and authority of the department of health extends, not inconsistent with the constitution or laws of the State and may be revised, altered, amended, or annulled from time to time by such commissioner with the approval of the mayor. The provisions thereof shall be binding and in full force and effect in such city. Compliance with the provisions of such code may be enforced and any violation of such provisions shall be subject to the penalties hereinafter provided, and such code may in addition thereto provide for specific penalties for any violation thereof.

**SEC. 4. License fees and penalties.**—No license or permit shall be issued to any person or for any purpose subject to the jurisdiction or control of the commissioner of health except upon the written approval of the department of health and the payment therefor of the fee to be fixed by such commissioner of not less than \$1 for each such license or permit. The amount of such fees to be so paid shall be fixed by a general regulation made by such commissioner for each class of licenses or permits issued. Such license or permit shall be issued and such license fee shall be received by the city clerk.

**SEC. 5. Appointment of experts.**—The commissioner of health with the written consent of the mayor may temporarily employ such health and sanitary experts as may be necessary at a compensation fixed by the board of estimate and apportionment.

**SEC. 6. Appeals from orders of commissioner of health.**—Any person aggrieved by an order, decision, or direction of the commissioner of health may appeal therefrom to the mayor who may affirm, reverse, or modify the order, decision, or direction appealed from. Such appeal must be made by serving on the commissioner of health a written notice of appeal within two days, Sundays and legal holidays excepted, or within such further time as shall be allowed by the mayor after the appellant receives notice of the order, decision, or direction appealed from. Within two days after receiving such notice of appeal, Sundays and legal holidays excepted, the commissioner of health shall make a written return to the mayor of the facts and evidence on which such order, decision, or direction is made. Upon receipt of such return, or if no return be made within the time specified, the mayor shall forthwith proceed to hear and determine the matter. Upon such appeal the mayor need not be confined to the evidence contained in the return, but in his discretion may take additional evidence. Until the decision of the appeal is made the order, decision, or direction appealed from shall be suspended. In case of failure to sustain the appeal the mayor may in his discretion impose costs not exceeding \$10 upon the appellant.

SEC. 7. *Inspection of public buildings.*—The commissioner of health and superintendent of building shall inspect and advise as to the proper heating, ventilation, and drainage of public buildings under the control of the city or any of its departments, and in case any such building is in use or in process of erection without, in the opinion of either, proper arrangements for heating, ventilation, or drainage he shall, subject to the right of appeal herein provided, stop the use or the erection of such buildings, direct such arrangements to be made and restrain further work upon the building until they are made.

SEC. 8. *Approval of plans for sewers and drains.*—All plans for sewers and drains shall be submitted to the commissioner of health for his approval before contracts are let for the construction of the same, and in case he shall disapprove the same, such sewers and drains shall not be constructed unless on appeal to the mayor he shall approve the same. The commissioner of health has power, subject to the right of appeal as herein provided, to stop the construction or use of drains and sewers which are not properly constructed or properly used or which are not in accordance with plans previously approved and adopted.

SEC. 9. *Health physicians.*—The commissioner of health may divide the city into not more than 12 districts, to be known as health districts, by filing with the city clerk a written designation of such districts, and may by like designation alter the same from time to time. He shall appoint, to hold office during his pleasure, not more than 12 health physicians, who shall perform such duties as the commissioner may direct or prescribe. The compensation of such physicians shall be fixed by the commissioner subject to the approval of the board of estimate and apportionment. The deputy commissioner of health and health physicians shall render medical services to indigent sick persons under the direction of the commissioner of health and the proper poor officers of the city; but no such person shall be maintained in any institution at the expense of the city unless the overseer of the poor shall certify that such person is an indigent person and is a proper city charge. This section shall not be construed as applying to almshouses, hospitals, or other public institutions which are provided with a regularly appointed medical and surgical staff.

SEC. 10. *Actions to restrain nuisances.*—The commissioner of health is authorized, by and with the advice and consent of the corporation counsel, in the name of the city to maintain actions to restrain the threatened performance of any act contrary to his orders, directions, decisions, or ordinances, and to restrain and abate nuisances, and for the purpose of obtaining a temporary injunction in any such action no undertaking shall be required.

SEC. 11. *Duty in case of peril to public health.*—In case of great and imminent peril to the public health of the city by reason of impending pestilence, it shall be the duty of the commissioner, with the sanction of the common council, if it be practicable to convene that body for prompt action, or if not, when approved by the board of estimate and apportionment, to take such measures and to do, order, or cause to be done such acts, and to make such extraordinary expenditures in excess of the sum appropriated to the department of health as in this act provided, for the preservation and protection of the public health as he may deem necessary and proper. Such peril to public health shall be deemed to exist only when and for such period as the commissioner and board of estimate and apportionment by unanimous vote shall determine.

SEC. 12. *Advisory board.*—The mayor shall appoint to serve during his pleasure a board of five resident and practicing physicians of the city of Syracuse which shall advise with the mayor or commissioner of health upon matters pertaining to public health whenever requested by such commissioner or the



mayor. If the Academy of Medicine of Syracuse shall submit a list of not less than 15 of its active members who are willing to serve upon such board, the appointments of the mayor to such board shall be made therefrom. The members of such advisory board shall serve without compensation.

SEC. 13. *Public-health law applicable.*—The public-health law so far as it pertains to cities is applicable to the city of Syracuse except as herein modified.

SEC. 14. *Powers of deputy commissioner.*—In case of the absence or disability of the commissioner or of a vacancy in the office the deputy commissioner of health shall discharge the duties of the office until the commissioner returns, his disability ceases, or the vacancy is filled.

SEC. 15. *Enforcement.*—The chief of police shall, whenever requested in writing by the commissioner of health, with the approval of the mayor, detail such number of regular policemen as shall be specified in such request, who shall while so detailed serve under the direction of such commissioner.

SEC. 16. *Laws repealed.*—All acts or parts of acts so far as they are inconsistent with this act are hereby repealed. This act shall supersede sections 145 to 154, inclusive, of the second-class cities law in so far as they relate to the city of Syracuse.

SEC. 17. *When to take effect.*—This act shall take effect January 1, 1920.

### TOLEDO, OHIO.

#### Division of Health—Establishment and Duties of Bureaus in—Salaries of Employees. (Ord. 773, Mar. 19, 1917.)

SECTION 1. That there be, and are hereby, created and established in the division of health, department of public welfare, of the city of Toledo, Ohio, the following bureaus: Bureau of instruction, bureau of statistics, bureau of communicable diseases, bureau of infant hygiene and child welfare, bureau of sanitation, bureau of food and drugs, bureau of laboratories, bureau of industrial hygiene, bureau of mental hygiene, and bureau of medical relief, whose duties shall be as hereinafter prescribed.

SEC. 2. The bureau of instruction shall have control of the investigation of matters pertaining to the safeguarding of health and prolongation of life, and the publishing of information relating thereto. The bureau of statistics shall have control of the reporting of all diseases required by law to be reported, the recording of births and deaths, and the performance of such other duties as pertain to the office of registrar of vital statistics. The bureau shall prepare such statistics as the work of other bureaus may require. The bureau of communicable diseases shall have control of the work of preventing the spread of dangerous communicable diseases. The bureau of infant hygiene and child welfare shall have control of all activities necessary to the improvement of conditions of infant and child life. The bureau of sanitation shall have control of the investigation and abatement of nuisances and the improvement of housing conditions. The bureau of food and drugs shall have control of the work of safeguarding the food, meat, milk, and drug supplies. The bureau of laboratories shall have control of such laboratory work as the other bureaus may require. The bureau of industrial hygiene shall have control of such activities as may be necessary to safeguard the health of those engaged in industrial pursuits. The bureau of mental hygiene shall have control of the investigation of matters pertaining to feeble-mindedness, epilepsy, and insanity, and the measures necessary to their prevention. The bureau of medical relief shall have control of matters pertaining to the medical treatment of the sick poor.



SEC. 3. That there be, and are hereby, created in the division of health, department of public welfare of the city of Toledo, Ohio, the positions of employment hereinafter named, with the compensation which is hereby fixed for each of said positions, as follows:

	Annual salary.	Monthly wage.				
		First 2 months.	Balance first year.	Second year.	Third year.	Fourth year.
Commissioner of health.....	\$1,800					
Secretary to commissioner.....	1,200					
Stenographer and complaint clerk.....		\$40	\$45	\$50	\$55	\$30
Chief of bureau of statistics.....	1,350					
Tenement house inspectors.....		70	75	80	85	90
Sanitary inspectors.....		70	75	80	85	90
Fumigators.....		70	75	80	85	90
Chief of bureau of food and drugs.....	1,800					
Dairy farm inspectors.....		80	85	90	95	100
Food inspectors.....		80	85	90	95	100
Restaurant inspectors.....		80	85	90	95	100
Milk inspectors.....		80	85	90	95	100
Bakeshop inspectors.....		80	85	90	95	100
Chief of bureau of communicable diseases.....	2,100					
Supervisor of field nurses.....		80	85	90	95	100
Field nurses.....		70	75	80	85	90
Hospital keepers.....		75	80	85	90	95
Hospital laundresses.....		50	55	60	65	70
Hospital cooks.....		50	50	50	50	50
Hospital maids.....		(1)	(1)	(1)	(1)	(1)
Hospital head nurse.....		80	85	90	95	100
Hospital nurses.....		75	80	85	90	95
Hospital firemen.....		(2)	(2)	(2)	(2)	(2)
Chief of bureau of medical relief.....	1,700					
Assistant to chief.....	1,200					

<sup>1</sup> \$1 per day.

<sup>2</sup> \$2 per day.

SEC. 4. That the compensation provided for in section 3 of this ordinance shall be payable semimonthly and at the same time other employees of the city of Toledo are paid.

#### WILKES-BARRE, PA.

#### Bureau of Health—Establishment—Powers and Duties of Officers and Employees. (Ord. Jan. 25, 1918.)

That the health department of the city of Wilkes-Barre be reorganized as a bureau of health upon the plan hereto attached and made a part of this ordinance.

SECTION 1. That the office of health officer created by ordinance of March 25, 1878, be abolished.

That the office of sanitary officer created by resolution of November 21, 1893, be abolished.

That the office of meat inspector created by ordinance of May 25, 1878, be abolished.

That the office of city scavenger created by ordinance of January 24, 1900, be abolished, for the reason that the contractor for the disposal of garbage is "required to remove dead animals from time to time as they may be found or as they may be reported to him. Dead animals lying on the public highways or elsewhere must be removed by the contractor in a vehicle with a closed body within three hours after notification, and they shall be properly covered during removal and must not be exposed to sight."

SEC. 2. That the office of city physician be created and that a reputable physician of at least five years' practice be appointed to said position by the city council. Said city physician to be the administrative head and have general supervision of the health work of the city and to devote his entire time to the same. Said city physician shall be ex officio superintendent of the Emergency Contagious Hospital and shall be directly responsible to the city council through the superintendent of the department of public safety.

SEC. 3. That the city physician shall be in control of and be responsible for the following departments:

- (a) Control of disease.
- (b) Care and treatment of disease.
- (c) Sanitary control.
- (d) Chemical and bacteriological laboratory.
- (e) Executive, record, and education activities.
- (f) Inspection of refuse disposal.

SEC. 4. That under the head of "control of disease" the following duties are hereby made mandatory:

(a) The registering of cases of contagious diseases required by State laws (act of June 18, 1895), with city clerk; appointed to act by the commissioner of health of the Commonwealth of Pennsylvania, and the city clerk is hereby made secretary of the city council acting as a board of health.

(b) The visiting and establishing quarantine in at-home cases of contagious diseases, including the placarding of premises, the instruction of the family in the care of the patient, the removing of cases to the emergency contagious hospital where the patient is indigent or unable to obtain the proper care and isolation at home.

(c) The supplying, when necessary, of antitoxin for meningitis and other cases when required by the city council.

(d) In cooperation with the Visiting Nurses' Association of Wilkes-Barre, the visiting of contagious cases at home during the period of quarantine to insure observation of quarantine laws and the continuance of treatment.

(e) In cooperation with the medical director of the Wilkes-Barre School Board, the inspection of the school children of the city, as directed by the said school board.

(f) In cooperation with the Wyoming Valley Tuberculosis Society at dispensary No. 1 of the State of Pennsylvania Board of Health, the treatment of cases of pulmonary tuberculosis.

(g) Conducting special investigation of all reported cases of typhoid fever, cerebrospinal meningitis, etc., to ascertain, if possible, the source of contagion, in order to bring about its removal.

(h) Conducting the examination of employees of restaurants, etc., as required by State law (act of May 28, 1915).

(i) In cooperation with the Visiting Nurses' Association of Wilkes-Barre, the maintenance of baby welfare stations.

SEC. 5. That under the head of "Care and treatment of disease" the city physician shall keep in touch with and cooperate with the following Wilkes-Barre hospitals:

(1) Wilkes-Barre City Hospital.

Mercy Hospital.

Wyoming Valley Homeopathic Hospital.

Riverside Hospital.

(2) That the city physician shall be superintendent of the emergency contagious hospital and manage same according to rules and regulations hereafter

adopted by city council; also cooperate with the Visiting Nurses' Association in connection with said emergency hospital.

SEC. 6. That under the head of "sanitary control" the city physician shall have the assistance of a "doctor of veterinary medicine" of at least five years' practice, who shall be designated as "food inspector," cooperating with the State Live Stock Sanitary Board, to which is now intrusted the "meat and milk inspection" in the State of Pennsylvania.

That the following duties are hereby made mandatory upon the city physician and "food inspector," the latter office being hereby created:

(1) Inspecting all food, including meats, prepared food and milk supply, fish and meat shops, food manufactories, dairies, milk depots, taking sample when thought necessary for submission to laboratory for test.

(2) Maintaining a file of all persons, corporations, etc., manufacturing and selling food products, including slaughterhouses, bake shops, creameries, ice-cream factories, etc.

(3) Maintaining a record of all inspections made of such places, together with the results of tests made.

(4) Taking action on inspections and tests when conditions exist in violation of the law or detrimental to the public health.

(5) Preparing and publishing monthly statement of the rating of meat shops, milk shops, and dairies, and reports of bacteria count in milk samples taken for analysis during the month.

That the following duties are hereby made mandatory upon the city physician and the "sanitary inspectors," whatever number may be appointed by the city council. The offices of "sanitary inspectors" are hereby created.

(6) Inspecting periodically and systematically all premises, to ascertain existing sanitary conditions and violations of sanitary ordinances, as, for example, homes, tenements, workshops, slaughterhouses, factories, railway stations, hotels, boarding houses, lodging houses, schools, restaurants, barber shops, laundries, saloons, ice-cream and soda-water parlors and factories, theaters, moving-picture shows, lunch counters, etc.

In such routine inspections "sanitary inspectors" should look to such matters as:

Overcrowding, inadequate provision for ventilation, inadequate water-closet facilities and defective plumbing, calling in, if necessary, the building department of the city.

Improper drainage of surface water, or improper covering of exposed water receptacles.

Inadequate provision of receptacles for trash and waste, calling in, if necessary, the fire department of the city.

Use of common drinking cups in schools and public places and common use of towels.

General cleanliness, including protection of food from flies, dust, and other injurious exposure.

All conditions complained of as unsanitary or constituting a nuisance.

That the following duties are hereby made mandatory upon the city physician:

(7) The planning and supervising of "clean-up week," etc., in cooperation with the Women's Civic Club of Wilkes-Barre, and also with the fire, police, and street cleaning departments of the city.

(8) Insistently supervising the cleanliness of streets and public places and compelling public observation of health rules.

(9) Aiding the department in conducting through the greater Wilkes-Barre Chamber of Commerce or other civic organizations, churches, schools, press, and bulletins, a continuous educational campaign in sanitary standards and their observation, which, if continued for a sufficient period, with vigor, should obviate much of the present necessity for sanitary inspection and nuisance abatement.

(10) The keeping of all reports of sanitary inspections on prescribed forms and the submitting of them to the city physician by the sanitary inspectors, the city physician to issue all formal orders in regard to same.

(11) Keeping a complete register in card or book form of all complaints and prompt notice given to the complaints of conditions found and action taken with respect to them.

(12) The revising, modernizing, codifying, and printing in convenient form for use by inspectors and distribution to the public of laws, ordinances, and regulations relating to sanitation. The clerk in the office of city solicitor to cooperate in this work.

SEC. 7. That, under the head of "chemical and bacteriological laboratory," the following duties are hereby made mandatory upon the "city bacteriologist," an office created by ordinance of July 19, 1894. The city bacteriologist shall be directly responsible to the city physician and, having charge of the laboratory, shall, in addition to the duties of his office under ordinance of March 16, 1905, make examinations as follows:

(1) Sputum, and other microscopic bacteriological examinations for the city physician under the head of "control of disease."

(2) Food analysis for the "city physician" and "food inspector" under the head of "sanitary control."

(3) Milk tests and bacteriological examinations of milk.

(4) Water analyses.

(5) Chemical and bacteriological examinations required by any city department.

SEC. 8. That, under the head of "executive, record, and education activities," the following duties are hereby made mandatory upon the city physician, city clerk under State law, and clerk and stenographer in health office:

(1) Collecting, recording, and analyzing statistics relating to sickness and death.

(2) Supervising compulsory registration and vigorous following up of failure to register and tardy registration.

(3) Keeping minutes of meetings held by city council, etc., as board of health.

(4) Preparing requisitions and executive orders.

(5) Attending to correspondence.

(6) Supervising the records and maintaining memoranda of complaints, orders, etc.

(7) Preparing monthly, special, and annual reports.

(8) Preparing and distributing educational material.

(9) Issuing monthly bulletins on health conditions.

(10) Cooperating with civic agencies in health work and enlisting their support for progressive health steps planned and taken by health authorities.

SEC. 9. That, under the head of "inspection of refuse disposal," the following duties are hereby made mandatory upon "city physician" and "inspector of garbage disposal" appointed by city council. That the office of "inspector of garbage disposal" is hereby created:

(1) The inspection of the disposal of garbage under contract by city of Wilkes-Barre with Wilkes-Barre Disposal Co., under date of May 7, 1917. The



Inspector to ascertain whether specifications in said contract are fully complied with. One specification relating to the removal of dead animals being mentioned in section 1 of this ordinance.

SEC. 10. That the city physician shall be diligent in enforcing all the present ordinances of the city of Wilkes-Barre affecting health, which are now on the books, also all present State laws which apply, also all ordinances which hereafter may be passed by the city council, and also all statutes which hereafter may be passed by the legislature of the State of Pennsylvania.

SEC. 11. That in cases of emergency, or whenever necessary, patrolmen may be designated by city council to perform duties in the bureau of health as "sanitary inspectors" in accordance with section 1, article 7, of the Clark Act, which provides: "That council may require an officer or employee to perform duties in two or more departments."

SEC. 12. That "sanitary inspectors" and other employees of the health bureau shall perform such duties as the city physician may prescribe in cases of emergencies and epidemics.

35495°-21-15



## HOSPITALS, HOMES, AND NURSERIES.

### BOSTON, MASS.

#### Hospitals—Construction and Maintenance. (Ch. 163, Special Act of Legislature Apr. 30, 1919.)

SECTION 1. Every building in the city of Boston exceeding three stories or 40 feet in height hereafter erected, altered, or designed for use or occupation as a hospital shall be a first-class building as defined in chapter 550 of the acts of 1907 and the amendments thereof. Every such building shall be provided with at least two inclosed stairways, shall have an additional inclosed stairway if the number of occupants, at any time, equals 75, and a further additional inclosed stairway for every additional 100 occupants which it may at any time contain.

Every building in the city of Boston three stories or less in height, or less than 40 feet in height, hereafter erected, altered, or designed for use or occupation as a hospital may be of second or third class construction, shall have means of egress satisfactory to the building commissioner, and no story or part of a story above the second shall be used for the care, treatment, or lodging of patients.

SEC. 2. The elevator, light, and ventilating shafts and basements in all hospital buildings specified in section 1, shall be provided with a system of automatic sprinklers approved as to location, arrangement, and efficiency by the building commissioner.

SEC. 3. The halls and stairs in all hospital buildings specified in section 1 shall be provided with proper and sufficient lights which shall be kept lighted during the night.

SEC. 4. The elevator, light, and ventilating shafts in all hospital buildings specified in section 1 shall be inclosed in the basement with masonry walls not less than 8 inches thick or with 2-inch metal and plaster partitions.

SEC. 5. In case of an existing or impending epidemic of a disease, the building commissioner, upon the recommendation of the health commissioner and with the written approval of the mayor, may temporarily suspend the provisions of this act.

SEC. 6. The health commissioner and the building commissioner, acting jointly, are hereby authorized to promulgate, from time to time, such regulations as in their judgment public interests require, to govern the establishment and maintenance of hospitals whether for human beings or for domestic animals, and to regulate the issue, suspension, and revocation of licenses for the same.

SEC. 7. Every person, firm, or corporation hereafter using or occupying a building in the city of Boston as a hospital shall forthwith register with the building department in the manner required by chapter 32 of the special acts of 1919, setting forth all the facts and data therein specified.

SEC. 8. Violation of this act shall be punished by a fine not exceeding \$500.

## CHICAGO, ILL.

**Hospitals—License—Construction—Room for Isolation of Cases of Communicable Diseases—Care and Discharge of Typhoid Fever Cases—Records—Reports of Cases of Communicable Diseases and Other Conditions—Reports of Disposition of Children—Reports to Superintendent of Police—Monthly Reports to Commissioner of Health—Records of Maternity Cases. (Ords. Mar. 12 and Dec. 3, 1917.)**

SECTION 1. That the Chicago Code of 1911 be, and the same is hereby, amended by repealing sections 1213, 1215, 1216, 1218, and 1225, and sections 1222 and 1223 as amended May 19, 1913, and substituting therefor the following sections:

SEC. 1213. *Hospital defined.*—For the purpose of this article a hospital is hereby defined to mean any institution or place used for the harboring or the reception, care, and treatment, including rest cure, physical culture, hydro-pathic massage, and all other forms of drugless treatment, of two or more persons suffering from or afflicted with any mental or physical disease, bodily injury, alcohol, or drug addiction; or for the reception and care, temporary or continuous, of one or more women during pregnancy while awaiting confinement, during confinement, or for one month or less after confinement, while recovering therefrom; or any place or establishment advertised, announced, conducted, or maintained under the name "hospital" without a qualifying statement that such hospital is not intended for human beings.

1215. *Application; inquiry by commissioner.*—Any person, firm, association, or corporation desiring such license shall apply in writing to the commissioner of health and shall truly state in said application the name and residence of the applicant, if an individual, or all the members of the firm, if a copartnership, or the names and residences of the principal officers if the applicant is an association or corporation; the location or proposed location of the hospital; the purpose for which it is to be opened, conducted, or maintained; the accommodations or proposed accommodations for the inmates thereof; the nature and kind of treatment given or proposed to be given therein; the name and address of the chief physician, surgeon, or attending chief physician or surgeon, or board of physicians or surgeons attendant therein.

If the building in which a hospital is to be opened, conducted, or maintained is not already in use as a licensed hospital and is one for which the plans have not been filed with and approved by the commissioner of health for use as a hospital, then it shall be the duty of the applicant for such license to file with the commissioner of health plans setting forth in detail the layout, construction, natural lighting, plumbing, and ventilation of the building or buildings in which such hospital is to be opened, conducted, or maintained.

It shall be the duty of the said commissioner of health, upon the presentation of such application, to make, or cause to be made, strict inquiry into the facts set out in such application, and if upon such inquiry he shall find such hospital is or is intended to be so conducted as to afford proper accommodations for the care of persons received or proposed to be received therein, and that the chief physician or surgeon, or intended chief physician or surgeon or board of physicians or surgeons thereof, gives or is under agreement thereafter to give such attendance therein as does or will render him or them responsible, professionally, for the medical or surgical treatment given or to be given to any and all patients therein, and that such chief physician or surgeon, or board of physicians or surgeons is regularly authorized to act as such under the laws of the State of Illinois, and that such hospital complies or is intended to comply with

all the rules and regulations which shall then be in force concerning the management and control of such hospitals, then the said commissioner of health shall recommend to the mayor that a license be issued, and upon the payment by the applicant of the license fee hereinafter provided to the city collector the mayor shall issue or cause to be issued a license attested by the city clerk authorizing such applicant to open, conduct, manage, or maintain for the current municipal year a hospital at the place, in the manner, and for the purpose in such application set forth.

1216. *License fee; expiration of license; license fee remitted; institutions exempted from payment of license fee; when.*—The license fee to be paid annually to the city collector for such hospital license shall be \$50. Every such license shall expire on the 31st day of December following the date of issue, and when issued for a period of less than one year the fee to be paid for the unexpired license period shall be the proportionate part of the annual rate, but no fee shall be less than \$12.50. The mayor is hereby authorized and directed to issue annually a free license to the following charitable institutions located at the addresses herein mentioned:

Chicago Foundlings' Home, 15 South Wood Street.

Chicago Home for Girls, 5024 Indiana Avenue.

Chicago Home for Convalescent Women and Children, 1516 West Adams Street.

Children's Memorial Hospital, 735 Fullerton Avenue.

Florence Crittenden Anchorage, 2615 Indiana Avenue.

Frances Juvenile Home, The, 433 East Forty-second Street.

Home for Destitute and Crippled Children, 1653 Park Avenue.

St. Vincent's Orphan Asylum and Maternity Hospital, 721 North La Salle Street.

St. Margaret's Home, 2501 West Monroe Street.

Salvation Army Hospital, 1332 North La Salle Street.

Durand Hospital of the Memorial Institute for Infectious Diseases, 637 South Wood Street.

And the said institutions are hereby exempted from the payment of any license fee for the hospitals conducted by them at said locations.

1218. *Accommodations for patients; regulations as to sanitation.*—In every such hospital each room occupied or to be occupied by patients shall be of such dimensions as shall give each adult patient not less than 800 cubic feet of space; babies up to 6 months old, 200 cubic feet; children 6 months to 6 years, 300 cubic feet; 6 years to 14 years, 600 cubic feet; fresh air and floor space in proportion. Every such room shall have at least one window connecting with the external air for each two beds. Said windows shall be of such dimensions as shall secure to each patient at least 2,400 cubic feet of fresh air per hour by natural ventilation, or in case said window shall not secure said 2,400 cubic feet of air per hour by natural ventilation, then each room shall, additionally, be fitted with such appliances for ventilation as shall secure to each patient in said room at least 2,400 cubic feet of fresh air per hour. Each bed shall have at least 80 square feet of floor space. In case of a maternity hospital a regularly licensed physician must reside on the premises. Each ward or wing in said hospital shall have running water furnished in one or more places either in said ward or convenient thereto, so that the same may be adequate and convenient to the occupants thereof. The plumbing, water-closets, bathrooms, and other sanitary appliances and equipment shall be constructed in accordance with the city ordinances relating thereto. The floor of the cellar or basement in any building used as a hospital shall be properly

cemented so as to be water-tight. The halls of each floor shall be open to the external air, with suitable windows, and shall have no room or other obstruction at either end thereof unless sufficient light or ventilation is otherwise provided for said hall, and the building as a whole shall be provided with adequate and proper fire escapes, stairways, or inclines, or exits.

The doors, windows, and other direct openings to the external air of all hospitals, including the kitchen, dining rooms, laundry, toilet rooms, laboratory, morgue, and post-mortem rooms of the same, shall be equipped from April 15 to November 15 with screens and appliances necessary for the exclusion of flies.

There shall be provided in each hospital building a suitable room or rooms approved by the commissioner of health to be used for the isolation of cases of contagious, infectious, epidemic, or communicable diseases that may be found in the hospital until such time as the parties suffering from such contagious diseases shall be removed in accordance with the rules and regulations of the department of health. The room or rooms thus provided for the isolation of contagious disease cases shall have separate toilet facilities and a stationary wash stand with a supply of running water. There shall be provided also in each hospital building a suitable room or rooms approved by the commissioner of health for the proper care of the dead pending their removal, which room shall not be less than 6 by 8 feet square and be provided with running water, impervious floor properly drained, and tight, well-fitting doors and windows. The walls must be smooth and rendered impervious. The room must be properly ventilated by having at least one opening to the outside air or a flue to the roof when necessary. There shall be no uncovered steam pipes in this room.

**1218a. Care and discharge of typhoid fever cases.**—From April 15 to November 15 all rooms or places where persons afflicted with typhoid fever are kept or cared for shall be tightly screened against flies, including all openings or doors of such rooms connecting with any other part of the building in which such rooms are located.

The discharges of persons afflicted with typhoid fever and all linen, utensils, dishes, and similar articles used about such patient shall at all times be thoroughly disinfected before the same are removed from the room or place where such persons are cared for.

No person, firm, corporation, or association operating or maintaining a hospital shall allow a person convalescent or recovered from an attack of typhoid fever to be discharged or leave said hospital without the permission of the commissioner of health, unless the urine and feces of said person have been found to be free from typhoid bacilli by laboratory tests satisfactory to the commissioner of health. Hospitals not having the facilities for the making of such tests may have the same made by the laboratory of the department of health.

**1222. Complete records to be kept.**—Each and every hospital shall keep a complete record of all patients admitted to the institution, giving name, age, and social condition of each patient (except as hereinafter provided in section 1225), and the disease or injury for which such patient is being treated, together with any complications which may arise from or during such treatment, the date of admission and discharge of such patient from such hospital, and a record showing the date of birth, sex, and disposition of every child born in such hospital. In the case of patients admitted on account of injuries, insanity, drug addiction, or contagious diseases the hospital record shall show by whom and in whose ambulance or conveyance such patient was brought



to the hospital. Such records shall be open at all times to the inspection of the commissioner of health or his duly authorized representatives.

**1223a. Class of cases to be reported within 24 hours.**—It shall be the duty of every person, firm, association, or corporation conducting, maintaining, managing, or operating any hospital within the city to make a report to the commissioner of health by telephone and by mail immediately upon discovering any such actively contagious disease as smallpox, scarlet fever, diphtheria, infantile paralysis, leprosy, cholera, typhus, bubonic plague, or any other diseases which may now or at any future time be classified by the commissioner of health as actively contagious, with which any patient or patients in such hospital may be afflicted. It shall also be the duty of all persons, firms, associations, or corporations conducting, maintaining, managing, or operating a hospital to make a report in writing to the commissioner of health within 24 hours after the admission or first discovery of any cases of typhoid fever, tuberculosis, epidemic cerebrospinal meningitis, chicken pox, mumps, measles, German measles, whooping cough, membranous croup, streptococcus sore throat, erysipelas, puerperal septicemia, trachoma, ophthalmia neonatorum, rabies, aphthous fever, insanity or drug addiction, or any stages or varieties thereof, and such other diseases as may be designated by the commissioner of health as being of a character similar to those herein enumerated, with which any patient or patients in such hospital may be afflicted.

The reports, as required aforesaid in this section, shall give the name, place of dwelling, if known, of the person having such disease, together with the character and state of the disease.

It shall be the duty of any person, firm, association, or corporation conducting, maintaining, managing, or operating a hospital to make a report to the commissioner of health within 24 hours after the disposition, other than death or discharge in the custody of a parent, of any infant or child born in or admitted to such hospital; which report shall give the name, age, and sex of the child thus disposed of, the name and address of the mother, if known, and name and address of the father, if known, the name and address of the person or institution to whom such child was given or delivered, and a statement as to whether or not such person was the parent or guardian or had legally adopted said infant or child.

All reports required under this section shall be made in full on blanks furnished for that purpose by the commissioner of health and shall be signed by the chief physician, superintendent or officer in charge of such hospital.

**1223b. Reports to superintendent of police.**—It shall further be the duty of any person, firm, association, or corporation conducting, maintaining, managing, or operating a hospital to telephone immediately and make a report in writing to the superintendent of police within 12 hours after the admission to such hospital of any patient afflicted with or suffering from severe injury, insanity, drug addiction, poisoning, or acute alcoholism, and brought or conveyed to such hospital in any other manner except in a public ambulance in charge of or operated by the city, county, or State authorities. The report of such admission shall give the name, place of dwelling, if known, of the person thus admitted, character and state of his disease or injury, the time of admission, and the name and address of the person, firm, or corporation in whose custody or by whose agent or representative such injured or diseased person was conveyed to or brought to said hospital.

All reports required under this section shall be made upon blanks which shall be furnished for that purpose by the superintendent of police.

**1223c. Monthly reports required.**—It shall be the duty of any person, firm, association, or corporation, licensed to conduct or maintain a hospital, to make



a report to the commissioner of health, on or before the 5th day of each calendar month, showing a complete record of such hospital during the preceding month, including the names and addresses of patients dying during the month, the cause of each such death, and such other information as may be necessary to an intelligent supervision of the establishment. In the case of maternity or confinement cases such reports shall set forth the names or the registered numbers of patients received and discharged, the results of treatment, and such other information as the commissioner of health may require.

All reports required under this section shall be made in full upon blanks furnished for that purpose by the commissioner of health, and shall be signed by the chief physician, superintendent, or officer in charge of such hospital.

**1225. *Illegal confinements; filing of information by patients in maternity hospitals.***—It shall be unlawful for any physician, midwife, or nurse to take a woman into his or her home for confinement, or to confine her there or to place her for confinement in any place except a licensed hospital, without permission from the commissioner of health.

Any patient may, either before or after entering a hospital, file her name and address, that of the father of the prospective child, the names of the person or persons who may adopt such infant when born, or any part of such information, with the department of health, and a card bearing a registered number and stamped "Maternity record, city of Chicago," shall be given to such patient, which number shall thereafter serve to designate the case, and further inquiry into the sociological facts of the case by the owner or owners of such hospital or by anyone connected therewith is hereby forbidden.

Any information filed by any patient in accordance with the foregoing provision shall be registered and kept in a secret record to which no person except officials and employees of the department of health shall have access unless access thereto is given by a certified order of a court of competent jurisdiction. Any person who shall disclose information contained in such secret record, except upon order of court, as aforesaid, shall be deemed guilty of a violation of this article.

**Homes—License—Construction and Sanitary Requirements—Room for Isolation of Cases of Communicable Diseases—Consent of Property Owners to Build or Maintain Home—Removal of Dead Bodies of Inmates—Records of Inmates to Be Kept—Reports of Cases of Communicable Diseases—Monthly Reports to Commissioner of Health—Reports of the Disposition of Infants and Children—Inspection of Homes—Revocation of License and Closing of Home. (Ord. Mar. 12, 1917.)**

SECTION 1. That the Chicago Code of 1911 be and the same is hereby amended by repealing article 10 and sections 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, and 1235 thereunder, and substituting therefor the following sections:

**1227. *Home defined.***—A home is hereby defined to mean any institution, place, or family used for the reception or care for a longer period than 24 hours of three or more infants or children apart from their parents. A home is further defined to mean any institution used for the reception or care of persons who are dependent or not capable of properly caring for themselves, homes for the aged or infirm, orphan asylums, half-orphan asylums, refuges, and shelters; also boarding homes caring for three or more women with their children.

**1228. *License required.***—It shall be unlawful for any person, firm, association, or corporation, other than the regularly constituted authorities of the United States, or any association or institution for the care of children which has been

accredited, certified, or licensed by the State of Illinois pursuant to an act of the legislature to regulate the treatment and control of dependent, neglected, and delinquent children, the county of Cook or the city of Chicago, to open, conduct, manage, or maintain any home, as defined in this article, within the corporate limits of the city without first obtaining a license therefor as herein-after provided.

1229. *Application; inquiry by commissioner.*—Any person, firm, association, or corporation desiring such license shall apply in writing to the commissioner of health and shall truly state in said application the name and residence of the applicant if an individual, or all the members of the firm if a copartnership, or the names and residences of the principal officers if the applicant is an association or corporation; the location or proposed location of the home; the purpose for which it is to be opened, conducted, or maintained; the accommodations for the inmates thereof; the nature and kind of care, instruction, or benefits given or proposed to be given therein; the name and address of the officials or board of officials conducting, managing, or maintaining said home; the name of the superintendent or person in charge of said home, the name and address of the chief physician, surgeon, or attending physician or surgeon, or board of physicians or surgeons attending therein.

If the building in which a home is to be opened, conducted, or maintained is not already in use as a licensed home and is one for which plans have not been filed with and approved by the commissioner of health for use as a home, then it shall be the duty of the applicant for such license to file with the commissioner of health plans setting forth in detail the layout, construction, lighting, plumbing, and ventilation of the building or buildings in which such home is to be opened, conducted, or maintained.

It shall be the duty of the said commissioner of health, upon presentation of such application, to make or cause to be made strict inquiry into the facts set out in such application, and if upon such inquiry he shall find such a home is or is intended to be so conducted as to afford proper accommodations for the care of the persons received or proposed to be received therein, and that the officials or board of officials or intended officials thereof gives or is under agreement thereafter to give such care, instruction, or benefits as does or will render him or them personally responsible for the care, instruction, or benefits given or to be given to all inmates therein, that the superintendent or person in charge thereof is a person of good moral character and has sufficient knowledge, experience, and ability properly to conduct such home, and that such home complies or is intended to comply with all rules and requirements which shall be in force concerning the management and control of such homes, then the said commissioner of health shall recommend to the mayor that a license be issued, and upon payment of the license fee, hereinafter provided, to the city collector, the mayor shall issue or cause to be issued a license attested by the city clerk, authorizing such applicant to open, conduct, manage, or maintain for the current municipal year a home at the place, in the manner, and for the purpose in such application set forth.

1230. *License fee; expiration of license.*—The license fee to be paid annually to the city collector for such home license shall be \$1. Every such license shall expire on the 31st day of December following the date of issue.

1231. *Accommodations for inmates; regulations as to sanitation.*—In every such home each room occupied or to be occupied by inmates shall be of such dimensions as shall give each inmate not less than 400 cubic feet of air space. Every such room shall have at least one window connecting with the external air for each four beds. Said windows shall be of such dimensions as shall secure to each inmate at least 1,500 cubic feet of fresh air per hour by natural

ventilation, or in case said window shall not secure said 1,500 cubic feet of fresh air per hour by natural ventilation then each room shall additionally be fitted with such appliances for ventilation as shall secure to each inmate in said room at least 1,500 cubic feet of fresh air per hour. Each bed shall have at least 40 square feet of floor space, and in every room or dormitory containing more than one bed the beds shall be so arranged as to leave a passageway of not less than 2 feet horizontally on all sides of each bed.

Each ward or wing in said home shall have running water furnished in one or more places, either in said ward or convenient thereto, so that the same may be adequate and convenient to occupants thereof. The plumbing, water-closets, bathrooms, and other sanitary appliances and equipment shall be constructed in accordance with the city ordinances relating thereto. The floor of the cellar or basement in any building used as a home shall be properly cemented so as to be water-tight.

The halls of each floor shall be open to the external air with suitable windows, and shall have no room or other obstruction at either end thereof, unless sufficient light or ventilation is otherwise provided for said hall, and the building as a whole shall be provided with adequate and proper fire escapes, stairways, or inclines or exits.

All homes, including the culinary department, dining rooms, laundry, laboratory, morgue and post-mortem rooms connected with the same shall be equipped from May 15 to November 15 with doors, screens, and other appliances necessary for the exclusion of flies.

There shall be provided in each home building a suitable room or rooms, approved by the commissioner of health, to be used for the isolation of contagious, infectious, epidemic, or communicable diseases that may be found in the home, until such time as the persons suffering from such contagious diseases shall be removed in accordance with the rules and regulations of the department of health. The room or rooms thus provided for the isolation of contagious disease cases shall have separate toilet facilities and a stationary washstand with a supply of running water.

There shall be provided, also, in each such building a suitable room or rooms approved by the commissioner of health for the proper care of the dead pending their removal.

1232. *Frontage consents required; when.*—It shall be unlawful for any person, firm, association, or corporation to build, construct, maintain, conduct, or manage a home in any block in which two-thirds of the buildings fronting on both sides of the street or streets on which the proposed home may front are devoted exclusively to residence purposes, unless the owners of a majority of the frontage in such block and the owners of a majority of the frontage on the opposite side or sides of the street or streets on which said building faces, consent in writing to the building, construction, or maintaining, managing, or conducting of any such home in such block: *Provided, however,* That no new frontage consents shall be required if such home has heretofore been licensed by the city of Chicago as a hospital, home, or nursery at the present location. Such written consents of the majority of said property owners shall be filed with the commissioner of health before a permit shall be granted for the building or constructing, or a license be issued for the maintaining, conducting, or managing of any such home.

1233. *Body of inmate dying in home; removal of.*—No person acting as superintendent or manager, or who is otherwise in charge or control of any home, nor any person connected with any home in any capacity whatsoever as nurse, physician, or attendant, shall order, permit, or allow the body of any inmate or person who has been under care in such home, and who shall have died therein,

to be removed from such home to any undertaking establishment at any time within 24 hours after the hour of death unless the removal of such body has been authorized in writing by some member of the immediate family of such deceased person, or by some other person legally authorized to order or permit such a removal; and no such body shall be removed otherwise than in accordance with the ordinances of the city government concerning the removal of dead bodies: *Provided*, That no body shall be kept at any home longer than 36 hours after death without permission from the commissioner of health.

1234. *Complete records to be kept.*—Each and every home shall keep a complete record of all inmates admitted to the institution, which record shall show the name, address, age, sex, and social status, and the date of admission and discharge or disposition of each inmate of such home. In the case of infants or children the records shall show the name and address of the person or persons from whom received, so far as can be ascertained, the names, address, nationality, religion, and occupation of the parents of such infant or child, and the reason for its being brought to such home. In the case of the discharge or disposition of any infant or child or other dependent person from such home the record shall show the name and address of the person or institution to whom such inmate was given or delivered, and a statement as to whether or not such person was the parent or guardian or had legally adopted said infant or child. Such records shall be open at all times to the commissioner of health or his duly authorized representatives.

1235. *Daily and monthly reports.*—It shall be the duty of every person, firm, association, or corporation conducting, managing, maintaining, or operating any home within the city to make a report to the commissioner of health daily, by telephone and by mail, of all such actively contagious diseases as smallpox, chickenpox, diphtheria, scarlet fever, mumps, measles, German measles, impetigo contagiosa, typhoid fever, tuberculosis, epidemic cerebrospinal fever, infantile paralysis, pneumonia, and other such diseases which may now or at any future time be classified by the commissioner of health as an actively communicable disease. Such daily reports shall contain the names and residences of all persons suffering from any and all of the above-mentioned diseases, together with such other information as shall be of use in aiding the department of health in stamping out the said diseases. It shall be the further duty of all such persons, firms, associations, or corporations as aforesaid to make a report to the commissioner of health on or before the 5th day of each calendar month, showing a complete record of such home during the preceding month, including the names and addresses of inmates dying during the month, the cause of each such death, and such other information as may be necessary to an intelligent supervision of the establishment. All reports required under this section shall be made in full upon blanks which shall be furnished for that purpose by the commissioner of health, and all monthly reports shall be verified by the signature of the superintendent or official in charge of such home.

1235a. *Disposition of infants and children to be reported.*—It shall be the duty of any person, firm, association, or corporation conducting, maintaining, managing, or operating a home to make a report to the commissioner of health within 24 hours after the disposition, other than death or discharge in the custody of a parent, of any infant or child born in or admitted to such home; which report shall give the name, age, and sex of the child thus disposed of, the name and address of the mother, if known, and name and address of father, if known, the name and address of the person or institution to whom such child was given or delivered, and a statement as to whether or not such person was the parent or guardian or had legally adopted said infant or child.



All reports required under this section shall be made in full on blanks furnished for that purpose by the commissioner of health and shall be signed by the chief physician, superintendent, or officer in charge of such home.

**1235b. Inspection; revocation of license.**—Every home conducted, maintained, or managed by any person, firm, association, or corporation shall at all times be open to the inspection of the commissioner of health or his duly appointed assistants or inspectors; and the said commissioner of health is hereby authorized and empowered to inspect the same, or cause inspection thereof to be made whenever and as often as he may deem proper; and if, upon such inspection, he shall find any such home to be conducted, managed, or maintained in violation of the terms of the application for the license under which such home was opened, conducted, managed, or maintained, or in violation of any of the provisions of this article, or any of the ordinances or regulations of the city of Chicago, or statutes of the State of Illinois, then and in that event he shall recommend to the mayor the revocation of any such license issued for the opening, conducting, managing, or maintaining of such home, and the mayor shall revoke such license upon such recommendation, or for any other good and sufficient cause.

**1235c. Penalty.**—Any person, firm, association, or corporation opening, conducting, managing, or maintaining a home as herein defined, within the city, without first having obtained a license therefor, as provided in this article, or after revocation of such license under the authority conferred by this article, or in violation of any of the terms of this article, shall be fined not less than \$10 nor more than \$200 for each offense, and a separate and distinct offense shall be considered as having been committed for each and every day on which any person, firm, association, or corporation shall be guilty of any such violation, failure, or refusal to comply with any of the provisions of this article: *Provided*, That in the event of a conviction of any such person, firm, association, or corporation for a violation of any of the provisions of this article relating to the safety and accommodations of inmates, it shall be the duty of the commissioner of health, and he is hereby authorized and empowered to close such home conducted, maintained, or managed by any such person, firm, association, or corporation, convicted as aforesaid, and to cause its vacation pending the repairs, alterations, or additions necessary to make it safe and proper for the occupancy of its inmates, and to make it comply with the terms of this article.

**Day Nurseries—Permit—Construction—Sanitary Regulation—Room for Isolation of Cases of Communicable Diseases—Examination of Children for Communicable Diseases—Register of Children Received and Reports of Medical Examinations to be Kept—Reports of Cases of Communicable Diseases—Monthly Reports to Commissioner of Health—Inspection of Nurseries—Revocation of Permit and Closing of Nursery.** (Ord. Dec. 28, 1917.)

**SECTION 1.** That the Chicago Code of 1911 be, and the same hereby is, amended by adding thereto in chapter 38, entitled "Health," article 10-B, as follows:

**1235-f. Day nursery defined.**—For the purposes of this article a "day nursery" is defined as an institution or a place in which are received three or more children not of common parentage, under the age of 14 years, at one time, for periods of over 4 hours but not exceeding 24 hours, for nursing or care apart from their parents, whether for compensation, reward, or otherwise.

**1235-g. Permit required.**—It shall be unlawful for any person, firm, association, or corporation, other than the regularly constituted authorities of the United States, the State of Illinois, the county of Cook, or the city of Chicago,



to open, maintain, or conduct a day nursery within the corporate limits of the city of Chicago without first having been granted a permit therefor as hereinafter provided.

1235-h. *Application for permit.*—Any person, firm, association, or corporation desiring a permit to open, maintain, and conduct a day nursery shall apply therefor in writing to the commissioner of health and shall state in the application the name and residence of the applicant, if an individual, or if a co-partnership the names and residences of all the members of the same, or if an association or corporation the names and residences of the principal officers; the present or proposed location of the day nursery; the purpose for which it is to be opened, maintained, or conducted; the present or proposed accommodations for the care of children; the nature of the care to be given therein; the name and address of the superintendent or of the person or persons to be in charge of it; and the name and address of the physician who is to be employed for the day nursery or who is to advise or attend therein.

1235-i. *Inquiry; character; permit.*—It shall be the duty of the commissioner of health, when such application is made, to make or cause to be made a strict inquiry of the statements therein contained and a thorough inspection of the premises proposed to be used for a day nursery. If he shall find that the day nursery is suitably and properly located; that it will afford proper and adequate accommodations for the children to be received therein; that the applicant is making the application in good faith for the care and betterment of children and is a suitable person, firm, association, or corporation for that purpose; that the superintendent or person to be in charge thereof is of good moral character and has sufficient knowledge, experience, and ability properly to conduct, manage, and maintain such day nursery; and that such place and such day nursery complies in all respects with the requirements hereinafter set out, then the commissioner of health thereupon shall issue or cause to be issued a permit authorizing such applicant to open and conduct a day nursery at the place specified, which permit shall state the maximum number of children that may be cared for at one time. The fee to be paid annually to the city collector for such day nursery permit shall be \$1. Every permit issued hereunder shall expire on the 31st day of December of the year in which it is issued. No permit shall be issued for a second or succeeding period except upon and after a reinspection of the premises and in the manner herein provided.

1235-j. *Accommodations for inmates.*—Every room in the day nursery to be used for the care of children shall be of such dimensions as to give each child not less than 200 cubic feet of air space. Every such room shall have a window area equal to not less than 15 per cent of the floor space. All such rooms shall be adequately ventilated, so as to secure for each inmate at least 1,500 cubic feet of air per hour. Except in extremely cold weather adequate ventilation must be maintained so far as possible by means of open windows. All such rooms for the care of children under the age of 6 years shall be located so that the floor will not be below the surface of the ground surrounding the building or below the level of the street sidewalk. The doors and windows of the day nursery shall be provided with screens and every appliance necessary for the exclusion of flies from the 15th of May to the 15th of November.

The day nursery shall be adequately supplied with hot and cold water and toilet facilities within the building or part of the building used as such day nursery. There shall be provided a well-ventilated room or compartment for the storing of the outer garments of the children. There shall also be provided a room which shall have been approved by the commissioner of health for the isolation of contagious, communicable, and infectious diseases. The building

or buildings used as a day nursery shall comply with the requirements of the department of buildings and bureau of fire prevention and public safety.

1235-k. *Regulations as to sanitation.*—No greater number of children shall be cared for at one time than is specified in the permit. All furnishings and equipment of the day nursery at all times shall be kept clean and sanitary. Dry cleaning and sweeping shall not be permitted. The common use of wash cloths, towels, bed linen, combs, toothbrushes, hairbrushes, and drinking cups is prohibited. The mattresses or under blankets of the cribs or beds must be protected by rubber or oilcloth, and they shall be kept clean and in a sanitary condition at all times. Each bed or crib shall be so placed that there will be a space of 1 foot on all sides, except where the head or one side of the bed may touch the wall. Children not of common parents may not occupy the same bed at the same time.

The outer garments of the children shall be removed and placed in the room provided therefor. If the clothing worn by any child admitted to the nursery is not thoroughly clean, there shall be provided an overapron which shall be worn throughout the day. The common use of aprons is prohibited. All diapers that have become soiled during the day shall be placed immediately in water in a covered vessel especially provided for the purpose, and as soon thereafter as practicable they shall be thoroughly washed and boiled. The removal of diapers from the premises in an unclean condition shall not be permitted. The refrigerators and all utensils must be kept clean and sanitary. The milk and food provided must be clean, wholesome, and suitable for the children. Milk bottles and nipples shall be kept thoroughly cleansed and sterilized at all times.

1235-l. *Inspection of children for evidences of contagious and communicable diseases.*—Each child upon application for admission shall be stripped and given a thorough and complete medical examination by the nursery physician or at a dispensary or infant-welfare station. Such examination shall include the necessary laboratory tests. Children may be admitted only where the results of the aforesaid examinations show the child to be free from contagious or communicable disease and duly protected against contagious disease. Every child shall be reexamined for admission after an absence of one week: *Provided*, All expense of above-mentioned examinations must be borne by the day nursery.

Each child shall be inspected by the matron each and every time it is admitted to the nursery, and if suspicious signs of any communicable disease appear the child must be placed in the isolation room and kept entirely apart from the other children until examined by a regularly licensed physician or returned to parent or guardian under the supervision of the superintendent, matron, or attending physician, in accordance with the quarantine rules of the department of health. In either case, the commissioner of health shall be notified unless the physician has diagnosed the case as not communicable.

It shall be unlawful to receive or admit into any day nursery any child afflicted or suspected of being afflicted with any contagious, infectious, or parasitic disease, including tonsillitis, infantile paralysis, coryza, conjunctivitis, bronchitis, tuberculosis, carcinoma, impetigo contagiosa, pediculosis, ringworm, favus, or gonorrheal vaginitis. However, the placing of such child in the isolation room shall not be deemed as admitting it to the day nursery.

The physician employed by or attendant upon the day nursery shall be a duly licensed physician, in good professional standing and he shall visit the nursery and make inspections of all the children therein at least once in each week.

1235-m. *Register to be kept.*—It shall be the duty of every person, firm, association, or corporation conducting a day nursery to enter in a register to be

kept for that purpose the name and address of each child received, the date of reception, the names and addresses of the parents or guardians of the child and the reason it is brought to the nursery, also immediately upon the removal of any child to enter the time of such removal and the names and addresses of the persons by whom it was removed and also to keep on file signed reports of all medical examinations. Such register and reports shall be open at all times for the inspection and use of the commissioner of health.

1235-n. *Daily and monthly reports.*—It shall be the duty of every person, firm, association, or corporation conducting, managing, or maintaining a day nursery to report to the commissioner of health at once, both by telephone and by mail, all cases and suspected cases of contagious diseases, such as smallpox, chickenpox, diphtheria, scarlet fever, mumps, measles, German measles, impetigo contagiosa, typhoid fever, tuberculosis, infantile paralysis, epidemic cerebrospinal fever, pneumonia, and any other disease that may be classified by the commissioner of health as actively communicable. The report shall give the names and addresses of persons so afflicted and such other information as may aid in eradicating such diseases.

It shall also be the duty of every person, association, firm, or corporation conducting a day nursery to report in writing to the commissioner of health on or before the fifth day of each calendar month, giving a complete record of the nursery during the preceding calendar month, showing the number of children admitted, all accidental injuries and deaths, the cause of the same, and such other information as may be necessary to an intelligent supervision of the nursery.

All reports required herein shall be made upon blanks which shall be furnished for the purpose by the commissioner of health. All monthly reports shall be signed by the superintendent or the official in charge.

1235-o. *Right of entry; revocation of permit.*—It shall be the duty of the commissioner of health to inspect all day nurseries as often as he shall deem necessary for adequate supervision of the same or whenever he shall have received the complaint of two or more persons that any day nursery is not managed in compliance with the provisions of this ordinance or for the best interests of the children received therein. He hereby is given the right, either by himself or his representative, to enter all such places for the purpose of making inspections. If upon such inspection the commissioner shall find that any day nursery is conducted or managed in violation of the provisions of this ordinance or of any of the ordinances or regulations of the city of Chicago or of the laws of the State of Illinois, then and in that case he may revoke the permit issued for it.

1235-p. *Penalty.*—Any person, firm, association, or corporation who opens, maintains, or conducts a day nursery without first having been granted a permit therefor, or after due revocation of such permit, or in violation of any of the provisions of this ordinance, and any person who violates any of the provisions of this ordinance, shall be fined not less than \$10 and not more than \$200 for each offense. If any person, firm, association, or corporation conducting a day nursery shall be found guilty of a violation of any of the provisions of this ordinance relating to the safety of or the accommodations for the children, it shall be the duty of the commissioner of health, and he hereby is authorized to close such day nursery and keep it closed until such repairs or alterations shall have been made as will comply with the provisions of the ordinance.

## NEW YORK, N. Y.

**Children—Register to Be Kept by Person Holding Permit to Board and Care for. (Res. Bd. of H., Apr. 25, 1917.)**

*Resolved*, That the regulations governing the board and care of children adopted March 30, 1915, be amended by adding thereto a new regulation, to be known as regulation 11, to read as follows:

**REG. 11. Register.**—Every person holding a permit to board and care for children must keep a register wherein he or she shall enter the names and ages of all such children, the names and residences of their parents as far as known, the time of the reception and discharge of such children and the reasons therefor, and also a correct register of the name and age of every child under the age of 5 years who is given out, adopted, taken away, or indentured from such place to or by anyone, together with the name and residence of the person so adopting, taking, or indenturing such child; and shall cause a correct copy of such register to be sent to the department of health of the city of New York within 48 hours after such child is so given out, adopted, taken away, or indentured. Such register shall be supplied by the department of health to all such persons.



## ICE CREAM AND CONFECTIONERY.<sup>1</sup>

### BAKERSFIELD, CALIF.

#### Ice Cream, Ices, Etc.—Sale from Vehicles. (Ord. 330, May 14, 1917.)

SECTION 1. It shall be unlawful for any person, firm, or corporation to sell, vend, or peddle ice cream, ices, or other frozen dainties from any wagon, pushcart, or vehicle within the city of Bakersfield without first having procured a permit as provided for in this ordinance.

SEC. 2. Before any person, firm, or corporation shall procure a permit to engage in, or carry on the business of, or perform any act or acts necessary for the selling, vending, or peddling of ice cream, ices, or other frozen dainties, in cones, cornucopias, or otherwise, from any wagon, pushcart, or other vehicle within the city of Bakersfield application must be made to the health officer of said city for a permit to do so, and if the said health officer is satisfied that said wagon, pushcart, or vehicle is properly screened to protect the contents thereof from flies, with a screen door at one side, which can be tightly and securely fastened, and that same has a small screen wicket provided with strong spring hinges placed at one side of the driver for the outgoing cones and cornucopias and the intake of money, and that said wagon, pushcart, or vehicle is and can be kept in a cleanly and sanitary condition, said health officer will then issue such permit to so sell, vend, or peddle ice cream, ices, or other frozen dainties.

SEC. 3. No permit shall be issued for a longer period than 90 days, and the same may be revoked at any time when such wagon, pushcart, or vehicle is not kept or maintained in a cleanly and sanitary condition.

SEC. 4. All cones and cornucopias so used shall comply with the rules, regulations, and requirements of the State board of health of the State of California and rules of the health department of the city of Bakersfield.

SEC. 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine in the sum not exceeding \$50, or by imprisonment in the county jail not exceeding 30 days, or by both such fine and imprisonment.

### MAYWOOD, ILL.

#### Ice Cream and Ices—Manufacture, Care, and Sale. Soda Fountains—Cleanliness—Sterilization of Utensils. (Ord. June 12, 1919.)

SECTION 1. *Sale of ice cream and harmful ingredients.*—It shall be unlawful for any person, firm, or corporation to manufacture, sell, or deliver or offer for sale or delivery any ice cream or frozen ices in the village of Maywood which contain any poisonous, impure, or unwholesome ingredients or preservatives or which are in a decomposed, poisonous, impure, or unwholesome condition.

It shall be unlawful to make, sell, or deliver in the village of Maywood ice cream or fruit ices from other substances than eggs, milk, cream, condensed milk, fruits, gelatin, nuts, and harmless flavoring and coloring matters.

<sup>1</sup> See also Foodstuffs, eating and drinking places, food establishments, soda fountains, and ice-cream parlors, p. 150.



Only such milk and cream may be used in the manufacture of ice cream for sale, delivery, or consumption in the village of Maywood as has been produced, prepared, and handled according to the standards prescribed in an ordinance entitled "An ordinance to license and regulate the production, care, and sale of milk and cream in the village of Maywood."

Only such fruits and nuts may be used in the manufacture of ice cream as are sound, clean, mature, and nonrancid.

SEC. 2. *Standards of fat and bacteria content.*—It shall be unlawful to sell or offer for sale in the village of Maywood any ice cream which contains less than 8 per cent of milk fat. Such ice cream shall be free from bacteria in excessive numbers.

SEC. 3. *Old or melted ice cream not to be sold or refrozen.*—It shall be unlawful to refreeze any ice cream or frozen ices which have melted and to sell or offer for sale any such ice cream or ices which have been frozen.

SEC. 4. *Ice-cream cones to be wholesome.*—No person, firm, or corporation shall give, deliver, sell, or offer for sale any ice-cream cones which are made under insanitary conditions or in any unclean manner or which contain any ingredients which are unwholesome or deleterious to health.

SEC. 5. *Character of receptacle for storage and transport.*—No person, firm, or corporation shall keep or store ice cream for sale or disposal or transport the same over any street, alley, or way in the village of Maywood except in a receptacle which is clean, dust proof, and fly proof. Such storage receptacles shall be kept in a location and in a manner which is satisfactory to the health department.

SEC. 6. *Storage of ice-cream cones and pails.*—All ice-cream cones, fiber pails, and other containers used in the sale or delivery of ice cream must be kept or stored in such place and manner as to fully protect them from flies and other sources of contamination.

SEC. 7. *Character of utensils used in the manufacture of ice cream.*—All utensils and equipment used in the manufacture, handling, or sale of ice cream shall be of nonabsorbent material, free from rust or corrosion, constructed in such a manner that they may be easily cleaned and sterilized and shall be kept clean and sterilized at all times.

SEC. 8. *Character of place of manufacture.*—Every room or other place used or occupied for the manufacture, handling, or storage of ice cream or frozen ices shall be closely ceiled, well ventilated and lighted, and all windows and doors shall be provided with tight screens to prevent the passage of flies. The walls and floors of such premises shall be so constructed as to permit of rapid and thorough cleansing. Every manufactory or place for the preparation of ice cream or frozen ices shall be equipped with appliances for the washing and sterilizing of all utensils employed in the manufacture, handling, and sale of such products.

SEC. 9. *Persons engaged in production to be clean.*—All persons engaged in or about any place where ice cream or frozen ices are produced, prepared, or handled, stored, or offered for sale shall be clean as to person and clothing.

SEC. 10. *Sale of ice cream made under conditions of contagion prohibited.*—It shall be unlawful to sell or offer for sale in the village of Maywood any ice cream or frozen ices which have been produced, prepared, or handled by any person infected or suspected of being infected with contagious disease. When there is any such condition of contagion or suspected contagion about any such place the fact shall be reported by the person, firm, or corporation producing ice cream therein, and the sale and delivery of ice cream and ices manufactured therein within the village of Maywood shall be stopped immediately by the

health department. When the health department is satisfied that there is no longer any danger of the sale of ice cream and ices produced therein it shall then permit the sale of the ice cream and ices produced therein, but not before. The violation of this section shall be punished with a fine of from \$50 to \$500.

SEC. 11. *Soda water fountains, etc., must be sanitary.*—All soda water fountains and all places where soda water or nonintoxicating drinks of any kind or where ice cream is sold or offered for sale shall be kept in a clean and sanitary condition, and there shall be a sufficient supply of glasses, dishes, spoons, and other utensils to serve such refreshments in a clean and sanitary manner, and all such glasses, dishes, spoons, and other utensils shall be washed in clean, hot, soapy water, thoroughly rinsed after each time such glasses, dishes, spoons, and other utensils are used, and shall be dried in a sanitary manner. Sanitary paper cups and dishes may be used in lieu of glasses and other dishes.

SEC. 12. *Penalty.*—Any person, firm, or corporation who or which shall violate any of the provisions of this ordinance or shall refuse to observe or obey any of the authorized orders of the health department or any authorized person, given by virtue of the provisions of this ordinance, shall be fined in a sum not less than \$5 and not to exceed \$200 for each offense.

#### OKLAHOMA CITY, OKLA.

#### Ice Cream, Ices, and Confectionery—Manufacture and Sale—Physical Examination of Employees. (Ord. 1946, July 18, 1917.)

SECTION 1. No person, firm, or corporation shall engage in the manufacture or sale of ice cream, ices, or compounds thereof, in which butter or other fats are an ingredient or which is to be sold or offered for sale under the name of ice cream, or any candy or confection in which sugar is an ingredient, unless they have secured a permit so to do.

SEC. 2. Any person, firm, or corporation desiring to establish, maintain, or operate an ice cream, candy, or confectionery factory or sales place within the corporate limits of the city of Oklahoma City, shall make written application to the commissioner of public safety for a permit to do so. Such application shall state the name and the residence of the applicant if an individual, the names and residences of the firm if a copartnership, if a corporation, the names and residences of the principal officers, together with the location and description of the premises for which the permit is desired.

SEC. 3. It shall be the duty of the commissioner of public safety to make or cause to be made, an examination of the premises described in the application for the purpose of ascertaining whether the location, lighting, ventilation, sanitary arrangements and equipment conform to the terms of the ordinance of the city of Oklahoma City.

SEC. 4. If, in the discretion of the commissioner of public safety, the application should be approved, such approval shall be transmitted to the city chemist and there shall then issue or cause to be issued to such applicant upon payment to the city treasurer of the fee provided therefor a permit authorizing such applicant to conduct such business according to the provisions of this ordinance.

SEC. 5. If at any time during the term of such permit the board of commissioners shall upon investigation determine that the provisions of this ordinance have not been or are not being complied with, or that the public health, or the health of persons employed in such establishment is endangered by its maintenance, the said commissioner of public safety may revoke the permit thereof.

SEC. 6. Any person, firm, or corporation establishing, maintaining, or operating any place where ice cream, frozen products, candy, or confectionery are

manufactured or sold shall on the 1st day of May of each year pay a license fee as follows:

- (a) For the manufacture of ice cream or frozen products, \$25.
- (b) For the manufacture of candy or confectionery exclusively wholesale, \$25.
- (c) For the manufacture of candy or confectionery for retail, \$5.
- (d) For the selling of ice cream or frozen products at retail, \$2.

*Provided*, That manufacturers paying said license fee shall have the right to sell their products at the street number designated in their permit without further license fee for a sales place: *Provided further*, That restaurants or hotels manufacturing or selling ice cream to be consumed on their premises in connection with the actual service of meals shall be exempted from the payment of a license fee therefor.

SEC. 7. For the purpose of this ordinance ice cream is defined to be the frozen product made from fresh cream and sugar, with or without a natural flavoring or admixture of sound, clean, mature fruits or nonrancid nuts, and shall contain not less than 14 per cent milk fat.

SEC. 8. All frozen products containing less than 14 per cent milk fat, or containing filler and stiffeners of starch, gelatin, gum, agar, or commercial casein, or manufactured from emulsions of milk or butter or other fats, or otherwise not conforming to the definition of ice cream occurring in this ordinance, shall not be labeled or sold as ice cream, but shall be labeled and sold without misrepresentation.

SEC. 9. Any person, firm, or corporation maintaining a place for the sale of frozen products not conforming to the definition of ice cream as defined in this ordinance, shall display a legible sign in a conspicuous place in said establishment stating thereon of what said frozen product consists, said sign and place in which it is displayed to be approved by the board of commissioners or their authorized representative. Before approval shall be given any card, label, or sign descriptive of any frozen product the manufacturer of such product shall submit the names of the ingredients contained therein together with a sample of the same to the city chemist for analysis, and no permit shall be granted when in the opinion of the city chemist such ingredients are detrimental to health.

SEC. 10. Confections shall include sweetmeats containing cane sugar, or its products such as molasses, and sugars, such as grape, milk, maple, corn, and corn glucose, sirups, eggs, butter, chocolate, spices, fruits, nuts, and agar, together with flavoring and coloring extracts. No candy manufactured, offered, or exposed for sale shall contain any terra alba, barytes, talc, chrome yellow, or other mineral substances or poisonous colors or flavors, or any other ingredient or ingredients injurious to health.

SEC. 11. No decayed, unwholesome, or impure material of any kind whatsoever, and no flavor or coloring matter in any manner detrimental or injurious to health, or any injurious or poisonous coal-tar dyes, flavors, saccharin, alcohol, or paraffin shall be used in the manufacture of any product or products defined in this ordinance.

SEC. 12. The floor of all rooms used for the manufacture of products defined in this ordinance shall be constructed of cement, asphalt, or impervious material approved by the board of commissioners or their representative, and shall be drained with ventilated or trapped drains, and such floor shall not be lower than the level of the street upon which street said building fronts or abuts. The walls and ceiling of such room shall be of material easily cleaned, free from roughness and ledges, and shall be kept well painted or lime washed.

(a) All outer openings shall be screened with fine mesh screen, and all doors shall be equipped with self-closing devices, and adequate ventilation and light shall be provided by windows or artificial means.

(b) Toilets, lavatories, and necessary appurtenances thereto shall be provided for employees. All toilet, dressing rooms, and clothes lockers shall be entirely separate from rooms in which food products are prepared or stored, and shall be ventilated to the outer air by means of windows, air ducts, or mechanical apparatus, and all the doors leading thereto shall be self-closing. Each toilet or dressing room shall be equipped with a lavatory having running water, and clean towels and soap shall be provided therein.

SEC. 13. Each establishment used for the manufacture and sale of products defined in this ordinance shall be equipped with sanitary washing and sterilizing equipment for all containers, utensils, machinery, tubs, vats, piping, or other fixtures coming in contact with raw or finished products.

SEC. 14. All tubs, vats, mixers, kettles, machinery, tables, benches, slabs, or other fixtures or utensils used directly in the manufacture of products defined in this ordinance shall be thoroughly cleaned after each use and sterilized before any further use. All floors, woodwork, walls, ceilings, and windows shall be kept in a clean and sanitary condition at all times. All raw or finished products shall be protected from dust, flies, or other contaminating influences by covers or other adequate protection. All containers of milk and cream shall be rinsed and drained immediately upon removal of contents. Garbage or any other unnecessary article shall not be kept in manufacturing rooms. All garbage and refuse shall be kept in impervious containers and removed daily. No rusted, dented, or defective container shall be used.

SEC. 15. All sales places shall be kept in a clean, sanitary, and orderly condition, and all food articles described in this ordinance shall be protected from dust, flies, or handling, and from vermin, roaches, ants, or other insects or animals. All dishes or utensils shall be cleansed thoroughly and sterilized after each use and before any further use. No rusted, dented, or defective container or cracked dish or glassware shall be used. No dog or cat shall be permitted on or about the premises.

SEC. 16. Every person in charge of such manufacturing or sales establishment shall keep himself and his employees in a clean condition and cleanly clothed. No smoking or chewing of tobacco shall be permitted in manufacturing rooms, and plain notices shall be posted in toilet rooms reading: "Employees must wash hands before returning to work." Also, signs shall be posted in conspicuous places throughout the establishment prohibiting spitting or the use of tobacco. Toilet rooms shall be equipped with clean towels, soap, and lavatories with running water. No person suffering with tuberculosis, venereal, or communicable or loathsome skin disease shall be employed in manufacture, sale, or distribution of food articles defined in this ordinance. When typhoid, scarlet fever, diphtheria, smallpox, measles, chicken pox, or other communicable disease occur in the residence or living place of anyone engaged or employed in such establishments, it shall be the duty of the owner or manager upon receipt of such knowledge to notify the department of health, so that the necessary regulations can be enforced to prevent the spread of the disease.

SEC. 17. No one suffering or convalescing from communicable disease shall be employed or shall engage in, and if he be so employed or engaged he shall at once discontinue his work, and such person shall not reengage or be reemployed until the department of health has terminated quarantine regulations and necessary disinfection has been done by officers of said department and the city physician has notified the commissioner of public safety in writing that the said disease is eradicated.

SEC. 18. All persons operating manufacturing establishments and salesrooms for the manufacture or sale of products defined in this ordinance, or persons employed therein, shall be examined by the city physician under the requirements of the two preceding sections, and said persons must submit to a re-examination at any time upon demand of the city physician, for which no fee shall be charged.

SEC. 19. All milk and milk products used in the manufacture of any product defined in this ordinance shall be only such milk as has been produced under the conditions prescribed in the ordinances of the city of Oklahoma City.

SEC. 20. Ice cream or frozen products shall not contain any colon bacilli in one cubic centimeter.

SEC. 21. It shall be the duty of the milk inspector to collect at reasonable times samples of the products made in Oklahoma City, subject to the terms of this ordinance, and submit the same to the city chemist for analysis, and a copy of said analysis shall be furnished the person from whom the sample is taken on request.

SEC. 22. The analysis by the city chemist of all products governed by this ordinance shall be competent evidence as to the quality and character of the product.

SEC. 23. The standards prescribed by the United States Department of Agriculture, the Oklahoma State Board of Health and the Oklahoma State Board of Agriculture for all products defined in this ordinance are hereby adopted as the standards for all of said products defined in this ordinance.

SEC. 24. The invalidity of any section or any part thereof of this ordinance shall not invalidate the balance of said section or any other section of this ordinance.

SEC. 25. Any person, firm, or corporation or their employees who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be fined in a sum not to exceed \$19 and costs of \$1 for each offense, and in addition to such fine the permit issued to conduct said business may be revoked by the board of commissioners.

### SOMERVILLE, MASS.

#### Ice Cream—Manufacture and Sale. (Reg. Bd. of H., Oct. 3, 1917.)

SEC. 72. No ice cream shall be manufactured or kept in any portion of a building which is used for the keeping of horses or other animals, or in any room used in whole or in part for domestic or sleeping purposes, unless the portion used for manufacturing or keeping ice cream is separated from other parts of the building to the satisfaction of the board.

SEC. 73. Every room in which ice cream is manufactured or kept shall be kept clean at all times and shall be equipped with appliances for washing or sterilizing all utensils employed in the mixing, freezing, keeping, sale, or distribution of ice cream, and all such utensils before use shall be thoroughly washed with boiling water or sterilized by steam.

SEC. 74. No person shall use as a container for other substances than ice cream any vessel used in the manufacture or keeping of ice cream.

SEC. 75. Every place in which ice cream is manufactured shall be equipped with facilities for thoroughly cleansing the hands of operatives. Every person immediately before mixing the ingredients which enter into the composition of ice cream, or freezing or handling the same, shall thoroughly wash and clean his hands and keep them clean during such mixing, freezing, and handling. Every person so engaged must be dressed in clean outer garments.



SEC. 76. No urinal, water-closet, or privy shall be located in a room used for manufacturing or keeping ice cream, or so situated as to pollute the atmosphere of such room.

SEC. 77. Ice cream kept for sale in any shop, restaurant, or other place shall be stored in a covered receptacle. Such receptacle shall be drained to the satisfaction of the board and shall be kept clean and tightly closed, except during such intervals as are necessary for the introduction or removal of ice cream or ice. Said receptacle shall be kept only in such location and under such conditions as shall meet with the approval of the board.

SEC. 78. Every person engaged in the manufacture, keeping, transportation, sale, or distribution of ice cream, immediately on the occurrence of any case of infectious disease, either in himself or his family, or among his employees, or within the building or premises where the ice cream is manufactured, kept, sold, or distributed, shall notify the board, and at the same time suspend the manufacture, transportation, sale, and distribution of ice cream until authorized to resume the same by the board.

SEC. 79. All cream, milk, or skimmed milk used in the manufacture of ice cream shall before use be kept at a temperature not higher than 50° F.

SEC. 80. No melted or old ice cream, or ice cream returned to a manufacturer for any cause whatever shall be used again in the manufacture of ice cream.

#### WHEELING, W. VA.

#### Ice Cream—Manufacture, Care, and Sale. (Ord. Effective July 1, 1919.)

SEC. 38. *Manufacture and sale of ice cream. a. Ingredients.*—All milk, cream, condensed milk, homogenized cream, and skimmed milk used in the manufacture of ice cream shall have conformed to all the requirements for milk, cream, homogenized cream, and skimmed milk as contained in the section of this ordinance relating to milk and cream.

All milk, cream, homogenized cream and skimmed milk used in the manufacture of ice cream shall be properly pasteurized before being so used.

No water, fruit, fruit juice, pastry, condiment, flavoring, coloring matters, sugars, gums, gelatines, or other substance shall be used which are not pure and wholesome and free from any injurious substances.

Milk and cream powders may be used in the manufacture of ice cream.

The use of melted ice cream for refreezing or mixing is prohibited.

The finished product shall contain not less than 8 per cent butter fat, as determined by the Babcock test, and be free from all preservatives and products of decomposition. Ice cream containing fruits, and known as fruit ice cream, and ice cream containing nuts, and known as nut ice cream, shall contain not less than 8 per cent butter fat, as determined by the Babcock test.

The finished product shall not contain bacteria in excess of 500,000 bacteria per cubic centimeter.

*b. Utensils.*—All utensils which come in direct contact with the liquid ingredients or the frozen product must be of nonabsorbent, nonpoisonous materials.

All utensils must be thoroughly cleansed with fresh boiling water and soap after each time used.

All utensils kept ready for use must be free from dust. All selling and shipping utensils must be sterilized or rinsed in clean boiling water after each time used.

No utensil used in storage of ingredients, making, storing, or transporting of ice cream shall be used for any other purpose.

*c. The factory.*—All walls, floors, and woodwork must be impervious to water, free from cracks, crevices, projections, or other dust and dirt collecting places.

The drainage must be such as to permit easy flushing and rapid carrying away of the water from the floor, which must be kept clean at all times.

The lighting arrangements shall permit an adequate supply of sunlight during the daylight hours.

No ice cream shall be manufactured in a kitchen, washroom, workshop, sleeping room, stable, or in close proximity to a room used for any purpose than that directly related to the manufacture of ice cream. Where rooms of this kind adjoin they shall be so partitioned off that direct communication is impossible.

Adequate toilet facilities shall be provided. These shall be partitioned off from every part of the factory and not directly communicating with any making or handling rooms.

There shall be constantly available during the working hours a good supply of hot water, soap, and clean towels, conveniently placed, with facilities for washing the hands.

The factory shall be free from flies and other insects. It shall also be free from odors not directly connected with the industry.

The ventilation shall be such as to secure an adequate supply of fair, free from excessive dusts.

*d. Individuals in the manufacture.*—All persons engaged in making or handling ice cream or of the utensils used in the process must be free from all forms of communicable disease.

No clothing shall be worn by those engaged in the making of ice cream that is not washable and in clean, fresh condition.

The bare hands or absorbent material shall not be used in manipulating the product in any way.

*e. Storage and transportation.*—All ice cream must be held at a temperature below 20° F.

All ice cream must be kept only in closed containers.

A new batch shall not be packed on top of an old one.

Cabinets and tubs shall be properly drained at all times.

Wagons, cars, and other means of transportation shall be in no way unsanitary.

*f. Salé.*—All utensils for serving must be washed with clean hot water after each time used. Sinks are prohibited when kept filled with water for repeated washings.

All surfaces on soda fountains, counters, draining boards, ice boxes, tables, and places where drinks and refreshments are served shall be nonabsorbent and frequently washed with scalding water.

All refuse in refreshment booths, soda fountains, and ice-cream parlors must be kept in closed receptacles, emptied and scalded at least once daily.

#### WHITE PLAINS, N. Y.

#### Ice Cream and Similar Frozen Products—Manufacture and Sale—Permit Required. (Ord. Mar. 27, 1918.)

No person shall manufacture for sale, sell, or expose or offer for sale in the city of White Plains any ice cream, sherbet, or similar frozen product without a permit from the board of health. Such permit shall be issued without fee and shall expire on the 1st day of January following the date of issue.

No permit shall be granted unless written application has been made therefor in prescribed form, which form shall require the furnishing of such information as is necessary to show compliance with the regulations adopted by the board of health.

Any person violating said regulations shall be liable to the penalties prescribed for violating or failure to comply with the sanitary code, and to the penalties prescribed by the laws of the State of New York, for failure to comply with any lawful order or regulation prescribed by a board of health, and, in addition, to the revocation of the permit.

**Ice Cream and Similar Frozen Products—Manufacture, Care, and Sale—  
Cleaning of Utensils Used in Serving. (Reg. Bd. of H., May 20, 1918.)**

1. All materials incorporated in ice cream shall be clean, sound, and wholesome.

All finished products shall be free from excessive bacterial content.

All milk, condensed milk, or cream shall be kept at a temperature not exceeding 50° F.

No old or melted ice cream or ice cream returned to a manufacturer in a broken package shall again be used in the preparation of ice cream.

2. No ice cream shall be manufactured or stored in any portion of a building which is used for the stabling of horses or other animals, or in any room used in whole or in part for domestic or sleeping purposes unless the manufacturing or storage room for ice cream is separated from other parts of the building by impenetrable walls, without doors, windows, or other openings.

3. All rooms in which ice cream is manufactured or stored shall be provided with tight walls and floors and kept constantly clean. No accumulation of rubbish, useless, offensive, or dust-collecting materials shall be allowed therein. The floors and walls of said rooms shall be of such construction as to permit rapid and thorough cleansing. Doors, windows, and other openings shall be properly screened and the rooms kept free from flies. The rooms aforesaid shall be equipped with adequate appliances for washing and sterilizing all utensils employed in the mixing, freezing, storage, sale, or distribution of ice cream, and all such utensils after use shall be thoroughly washed and sterilized.

4. No container used in the manufacture or sale of ice cream shall be used for any other purpose.

No person shall use a utensil of any kind or description in the service or sale of ice cream the use of which has been disapproved by the board of health, and no person shall use any utensil in the service or sale of ice cream unless said utensil is washed and sterilized in boiling water or live steam at least once a day or oftener if necessary; and no person shall use his fingers or hands to remove particles of ice cream, ice, or other matter from inside any vessel containing ice cream intended for sale.

5. All establishments in which ice cream is manufactured shall be equipped with facilities for the proper cleansing of the hands of operatives, and all persons immediately before engaging in the mixing of the ingredients entering into the composition of ice cream, or its subsequent freezing and handling, shall thoroughly wash his hands and keep them clean during such manufacture and handling.

All persons shall be dressed in clean outer garments while engaged in the manufacture and handling of ice cream.

No urinal, water-closet, or privy shall be located in any rooms where ice cream is manufactured or so situated as to pollute the atmosphere of said

rooms. In every urinal, water-closet, or privy used by employees shall be posted a conspicuous sign notifying employees to wash hands after using urinal or toilet.

6. All vehicles used in the conveyance of ice cream for sale or distribution shall be kept in a cleanly condition and free from offensive odors.

7. Ice cream kept for sale in any shop, restaurant, or other establishment shall be stored in a covered box or refrigerator. Such box or refrigerator shall be properly drained and shall be kept clean and tightly closed, except during such intervals as are necessary for the introduction or removal of ice cream or ice. Said box or refrigerator shall be kept only in such locations and under such conditions as shall be approved by the board of health.

8. Every person engaged in the manufacture, storage, transportation, sale, or distribution of ice cream, immediately upon the occurrence of any case of communicable disease, either in himself or in his family, or amongst his employees, or within the building or premises where ice cream is manufactured, stored, sold, or distributed, shall notify the board of health and at the same time shall suspend the sale and distribution of ice cream until authorized to resume the same by the health officer.

No person shall use to hold or convey ice cream any container which has been handled by a person suffering from communicable disease until said container has been thoroughly sterilized.

9. Spoons, dishes, glasses, or other containers used in serving ice cream must be thoroughly cleaned with washing powder or soap after each use and after cleaning must be rinsed in clean running water.

A sufficient supply of towels and cloths shall be provided and shall be kept in a cleanly condition.

Cones or other edible containers of ice cream shall be of pure materials and shall be kept covered until used.

10. The term "ice cream" as used in these regulations shall mean ice cream, sherbet, water-ice, or similar frozen product.

11. Permits shall be conspicuously displayed in the rooms used for the manufacture and retail sale of ice cream.

12. The health officer and inspectors of the board of health shall examine all places used in the manufacture and sale of ice cream as often as they deem necessary and shall take such samples of materials and products as they may require. Wherever the health officer shall determine that proper cleanliness is not observed, either in the place of manufacture, in the utensils, materials, or manner of making of ice cream or in the manner of carrying or selling the same, no further sales of such ice cream shall be allowed until objectionable features are removed and written permission given by him.

## LODGING, TENEMENT, AND ROOMING HOUSES.<sup>1</sup>

### EL PASO, TEX.

#### Lodging Houses—Permit Required—Sanitary Regulation—Inspection. (Ord. Apr. 5, 1917.)

SECTION 1. A lodging house is hereby defined to be a building or part of a building, where lodgings are provided and let for profit to five or more persons at any one time.

SEC. 2. No person, firm, or corporation shall maintain a lodging house in the city of El Paso unless a permit therefor shall be first obtained by such person, firm, or corporation from the board of health of the city of El Paso. Such permit shall be renewed each and every year that such lodging house is maintained.

SEC. 3. Every person, firm, or corporation conducting the business of a lodging house shall be governed by the following regulations:

Every lodging house shall be provided with at least—

a. One shower or tub bath on each floor, to be supplied with hot and cold water and open for the free use of lodgers at all times.

b. One wash basin for every 25 beds or fraction thereof.

c. One water-closet for every 25 beds or fraction thereof.

d. A sufficient number of approved cuspidors shall be furnished and kept in a sanitary condition.

e. An adequate supply of clean individual towels shall be provided for lodgers free of charge.

f. Lodging house keepers shall cause all floors to be thoroughly cleaned and scrubbed at least once in every 30 days. Where walls are whitewashed, they shall be rewhitewashed once in every six months.

g. All floors shall be sprinkled before sweeping, which shall be done once in each day.

h. All beds shall be so arranged that the air shall circulate freely under and around each of them, and shall be at least 2 feet apart in a horizontal direction; all windows shall be open top and bottom at least three hours in each day; at least 12 square feet of window space, having unobstructed access into the open air shall be provided for each room and for each 100 square feet of floor space. At least one-half each window space shall be available for ventilation.

i. All beds, bed clothing, mattresses, and pillows shall be kept free from vermin.

j. Every person, firm, or corporation maintaining a lodging house or houses in the city of El Paso shall keep the same at all times clean and free from dirt, filth, garbage, and rubbish in or on the premises belonging to or connected with the same.

k. All washbasins, baths, water-closets, windows, fixtures, furniture, fittings, and painted surfaces shall be at all times kept thoroughly clean and in good repair.

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<sup>1</sup> See also Buildings and premises, p. 40.



1. Each bed shall be provided with a pillow slip for each pillow and two white linen or cotton sheets 99 inches long after being washed and of sufficient width to completely cover mattress and springs, and said sheets and pillow slips shall be laundered each eight days, or for each new guest or occupant.

SEC. 4. Any room, space, building, or part of a building where five or more persons are lodged gratis, or as part of any labor agreement shall be governed by the provisions of this ordinance, except that beds and bedding may not be required when lodgers' bedding, clothing, personal effects, and their persons have been certified as free from disease carriers by proper treatment.

SEC. 5. The board of health shall assign an inspector for the purpose of enforcing the provisions of this ordinance; and such inspector when showing a proper badge and certificate of authority, may enter and examine any premises within the provisions of this act at any time.

SEC. 6. Any person, firm, or corporation, violating any of the provisions of this ordinance shall forfeit and pay a penalty of not less than \$10, nor more than \$100.

SEC. 7. Any permit obtained as aforesaid may be revoked by the board of health upon 10 days' notice, when in its judgment any of the above regulations are being violated.

**Tenement Houses—Sanitary Regulation—Vacation. (Ord. Apr. 5, 1917.)**

SECTION 1. A tenement house is any house or building, or portion thereof, which is rented, leased, let, or hired out, to be occupied, or is occupied, or is intended, arranged, or designed to be occupied as the home or residence of three families or more living independently of each other and doing their cooking on the premises and having a common right to the halls, verandas, stairways, yards, water-closets or privies, or some of them; and any group of adjacent buildings having a right in common to use the conveniences aforementioned in this section, or any of them, shall be subject to the same regulations hereinafter stated for the regulation of tenement houses.

SEC. 2. No owner, agent of owner, lessee, or person in charge of, or in control of, any tenement or lodging house shall permit any person or persons to occupy any room of any tenement or lodging house, and no person or persons shall occupy any room of any tenement or lodging house, in which the air space afforded is less than 400 cubic feet of air for each person over 12 years of age and 150 cubic feet of air for each child under 12 years of age occupying the room.

a. *Provided*, That there is not less than 35 square feet of floor space for each occupant thereof, and that not less than 12 square feet of window space be provided for each room and for each 100 square feet of floor space, and that each window have unobstructed access into the open air and that one-half of each window be available for ventilation.

SEC. 3. Every tenement house and every part thereof shall be kept clean and free from any accumulation of dirt, filth, and garbage or other matter, in or on the same, or in the yards, courts, passages, areas, or alleys connected with or belonging to the same. The owner of every tenement house, or part thereof, shall thoroughly cleanse all the rooms, passages, stairs, floors, windows, doors, walls, ceilings, privies, water-closets, cesspools, drains, halls, cellars, roofs, and all other parts of the said tenement houses, or parts thereof, or parts of the house of which he is the owner, to the satisfaction of the board of health or its agents, and shall keep the said parts of the said tenement house in a cleanly condition at all times.

SEC. 4. The owner of every tenement house shall provide and maintain therefor suitable covered, water-tight metallic receptacles for rubbish, garbage, refuse,

and other matter. No person shall throw or place filthy water, rubbish, garbage, refuse, or other like matter in the yards, open areas, or alleys connected with or appurtenant to any tenement houses, except in such receptacles as described above.

SEC. 5. In every tenement house which is within 100 feet of a sewer there shall be at least one water-closet for each eight rooms, or major fraction thereof, which water-closet or closets can be approached by an entrance independent of any living room, and shall be easily accessible to the occupants for whose use they are intended, and all water-closets shall be kept clean.

SEC. 6. No horse, cow, calf, swine, sheep, goat, or chickens shall be kept in a tenement house or on the same lot or premises within 25 feet thereof, and no tenement house, or the lot or premises thereof, shall be used for the storing or handling of old rags, bottles, etc., nor for the storing or handling of vegetables or other food products intended for sale for human consumption: *Provided*, That this section shall not apply to stores located on the ground floor of tenement houses and not used for living purpose.

SEC. 7. In any tenement house in which the owner thereof does not reside there shall be a janitor, housekeeper, or other responsible person who shall reside in said house and have charge of the same, if the board of health or its agents shall require.

SEC. 8. In tenement houses or lodging houses no room in the basement or cellar shall be constructed, altered, converted into, or occupied for living purposes without a special written permit therefor having first been obtained from the board of health of the city of El Paso, Tex.

SEC. 9. Whenever it shall be certified by an inspector or agent of the board of health that a tenement house or any part thereof is unfit for human habitation or dangerous to life or health by reason of want of repair, or of defects in the drainage, plumbing, ventilation, or the construction of the same, or by reason of the existence of a nuisance likely to cause sickness among the occupants of said house, or is maintained in a manner in violation of this ordinance, the board of health, after a hearing, may issue an order requiring all persons therein to vacate such house, or part thereof, within not less than 24 hours nor more than 10 days, for the reasons to be mentioned in said order. In case such order is not complied with within the time specified, the board of health may cause said tenement, or lodging house, or part thereof, to be vacated. The board of health, whenever it is satisfied that the danger of said house, or part thereof, has ceased to exist, or that it is fit for human habitation, may remove said order or may extend the time within which to comply with the same.

### MILWAUKEE, WIS.

#### Rooming Houses—License—Sanitary Regulation—Reports of Cases of Communicable Diseases. (Ord. 96, Effective Jan. 1, 1918.)

SECTION 1. There are added to the Milwaukee Code of 1914 12 new sections to read:

##### CH. 17. ART. 13.5. ROOMING HOUSES.

SEC. 858.1. *Definitions*.—A rooming house in the meaning of this ordinance shall be any building or structure, or part thereof, in which four or more persons are harbored, received, or lodged for hire, or any part of which is let to four or more persons in which to sleep: *Provided, however*, That duplex flats, so-called, or apartment houses actually divided into residential units, shall not be termed rooming house except when such flats or residential units are used

for the harboring of four or more persons received or lodged for hire, or let to four or more persons in which to sleep.

*Rooming house, class A*, as used herein, shall mean any rooming house harboring, receiving, or lodging four to eight persons, not members of the proprietor's family.

*Rooming house, class B*, as used herein, shall mean any rooming house harboring, receiving, or lodging nine or more persons, not members of the proprietor's family.

*Basement*.—A story, partly, but not more than one-half its height, below the level of the lot.

*Cellar*.—A story more than one-half its height below the level of the lot.

*Proprietor*, as used herein, shall mean any person, firm, or corporation—whether owner, lessee, manager, or agent—in whose name the license, required herein, shall have been issued.

*Hotel*, so-called, or any place or business holding a hotel license, issued by the State of Wisconsin, shall be excluded from the provisions of this article, so long as this license remains in effect.

SEC. 858.2. Each sleeping room in any rooming house must have at least 400 cubic feet of air space for each lodger or person sleeping therein. Each such room must be adequately ventilated, having window space, opening on street, yard, or court, equal to one-tenth of floor area of such room. The bedding used therein must be clean. No such room may be located in a cellar or basement. Every such room must be free from filth and vermin. The walls, floors, and ceilings in each sleeping room of any rooming house, and the hallways, stairways, toilet rooms, or other parts thereof, must be cleaned and properly repaired and painted as frequently as may be required by the commissioner of health.

SEC. 858.3. The commissioner of health is hereby authorized to require or make such reasonable rules and regulations as will insure the proper cleanliness of all rooming houses and the proper provision of water, towels, bathing facilities, cuspidors, beds, bedding, mattresses, and other furniture or things.

SEC. 858.4. In every rooming house (class B) there shall be at least one toilet room for every eight persons. All such toilet rooms shall be equipped with flowing water and shall be entirely shut off from sleeping rooms by a partition extending from floor to ceiling. Each such room shall have proper ventilation to outside air and shall have a window at least 3 feet square opening upon a street, yard, court, or vent shaft. There shall be provided an adequate number of wash basins and baths, as determined by the commissioner of health, and these basins and baths shall be equipped with flowing water.

SEC. 858.5. No person, firm, or corporation shall operate or conduct any rooming house without first being licensed so to do.

SEC. 858.6. The license required herein must be applied for and issued in favor of the person, firm, or corporation actually responsible for and in control of the rooming house to be licensed. Such person, firm, or corporation must file an application on a form prepared by the commissioner of health. The commissioner of health, by his authorized assistants, shall inspect each rooming house for which application is made, and when the requirements of this article have been met shall issue a license upon the payment of a fee of \$2 for a rooming house, class A, and a fee of \$3 for a rooming house, class B. All licenses so issued are effective until the next succeeding 1st day of January.

SEC. 858.7. Every license issued by the commissioner of health shall be conspicuously posted in the office, public corridor, or hallway of the rooming house for which it is issued and shall remain so posted at all times.

SEC. 858.8. The commissioner of health shall specify on every license issued the number of persons that may be accommodated in the rooming house for

which such license is issued, and shall specify not more than one person for every 400 cubic feet of air space that can ordinarily and safely be utilized for sleeping purposes. No person shall harbor, receive, or lodge more persons than are specified on the license so issued: *Provided*, That two children under the age of 12 years shall be deemed equivalent to one adult person.

SEC. 858.9. It shall be the duty of the proprietor of every rooming house to report within 24 hours to the commissioner of health any person suffering from any communicable disease, and such report shall be made whenever there is reason to believe or suspect that any person in such rooming house may be afflicted with any communicable disease and especially with smallpox, scarlet fever, diphtheria, measles, chickenpox, typhoid fever, or tuberculosis.

SEC. 858.91. The licensee of any rooming house shall be responsible for any insanitary condition prevailing within such rooming house, and shall be responsible for the proper observance of all of the provisions of this article. The owner or agent shall be responsible for the proper sanitary condition of the premises upon which any rooming house is located and for the exterior condition of any rooming house.

SEC. 858.92. Any license granted under the provisions of this article may be revoked by the commissioner of health for failure to comply with the provisions hereof. No license issued under the provisions of this article shall be transferable, and every person, firm, or corporation must notify, in writing, the commissioner of health within 24 hours after having relinquished proprietorship or having sold, transferred, or given away, or otherwise disposed of such interest or control in any rooming house, and must file, in writing, with the commissioner of health the name and address of the person, firm, or corporation to whom he, they, or it has relinquished proprietorship, or sold, transferred, given away, or otherwise disposed of such interest or control in any such rooming house. No person, firm, or corporation may conduct any rooming house the license whereof shall have been issued in the name of any other person, firm, or corporation.

SEC. 858.93. Any person, firm, or corporation operating a rooming house in the city of Milwaukee without having first been licensed so to do, or any person, firm, or corporation violating any of the provisions of this article shall be subject to a fine of not less than \$10 nor more than \$50 for each day's violation, or in default of payment thereof to imprisonment for not less than 10 nor more than 30 days for the first offense, and to a fine of not less than \$50 for each day's violation, or to imprisonment for not less than 30 days for each subsequent offense.

## MALARIA AND MOSQUITOES.<sup>1</sup>

### CAMBRIDGE, MASS.

#### Mosquitoes—Prevention of Breeding. (Reg. Bd. of H., June 10, 1918.)

136. No person shall permit any water to collect or remain on any premises or part thereof, over which he has any control, between the 15th day of April and the 15th day of October, in any bucket, box, barrel, or other article, except it be so screened as continuously to exclude the mosquitoes from access thereto.

### LOUISVILLE, KY.

#### Mosquitoes—Prevention of Breeding. (Ord. Oct. 6, 1917.)

SECTION 1. It shall be unlawful to maintain any vacant lot or other premises within the municipality of Louisville on which the rubbish is allowed to accumulate, weeds or long grass is allowed to grow, or any water is allowed to collect and lie stagnant, in which mosquitoes breed, or are likely to breed, and any such premises or vacant lot on which such rubbish, weeds, long grass, or any stagnant water is allowed to remain is hereby declared a nuisance and dangerous to the health of the people in the city of Louisville.

SEC. 2. The collection of water, referred to in section 1 of this ordinance, shall be held to be those contained in ditches, ponds, pools, excavations, holes, depressions, open cesspools, privy vaults, fountains, cistern tanks, shallow wells, barrels, trough, except horse trough, in frequent use, caves, troughs, urns, cans, boxes, bottles, tubs, buckets, or other similar containers.

SEC. 3. The method of treatment of the collections of water specified in section 2, so as to prevent the breeding of mosquitoes, shall be any one or more of the following: (a) Screening with wire netting of at least 16 meshes to the inch each way, or any other material which would prevent the ingress or egress of mosquitoes; (b) complete emptying ever seven days of the unscreened containers; (c) using a larvacide approved by and applied under the direction of the health department; (d) covering completely every seven days the surface of the water with paraffine oil, kerosene, or petroleum in sufficient quantities to remain covered at least 12 hours each time; (e) cleaning and keeping sufficiently free from vegetable growth and other obstruction, and stocking with mosquito-destroying fish, absence of half-grown or larger mosquito larvæ to be evidence of compliance with this measure; (f) filling or draining to the satisfaction of the health department; (g) the removal of tin cans, tin boxes, broken or empty bottles, and similar articles likely to hold water, at least once in seven days. If not removed, it must be so completely destroyed as not to be able to hold water.

SEC. 4. The natural presence of mosquito larvæ in standing or running water shall be evidence that mosquitoes are breeding there, and failure to prevent such breeding within 24 hours or such reasonable period as may be specified

<sup>1</sup> See also Communicable diseases, p. 62; Nuisances, p. 387.



in writing by the health department shall be deemed a violation of this ordinance and regulation.

SEC. 5. Should a person or persons responsible for conditions giving rise to the breeding of mosquitoes fail or refuse to take necessary measures to prevent the same within 24 hours or such reasonable period as may be specified in writing by the health department, the health department is hereby authorized to do so, and all necessary costs incurred by the health department shall be a charge against the property owner or other person offending, as the case may be.

SEC. 6. The health department shall enforce the provisions of this ordinance and for this purpose may at all reasonable times enter in and upon any premises within its jurisdiction, and any person or persons charged with any of the duties imposed by this ordinance failing within the time specified by the health department to comply with any order thereof to comply with this ordinance, shall be deemed guilty of a violation, and each day after the expiration of this time that said person fails to comply with this order shall be deemed a separate offense of this ordinance.

SEC. 7. The owner of the premises, and in his absence the agent or occupant, shall be held under this ordinance to be responsible for the prevention or correction of conditions giving rise to the breeding of mosquitoes or likely to give rise to the breeding of mosquitoes: *Provided*, Any tenant, trespasser, or other person causing said condition without the consent of the owner or agent shall be held responsible therefor.

SEC. 8. Any person or persons violating or assisting in the violation of any part or parts of this ordinance shall, upon conviction, be fined not less than \$5 or not more than \$20.

#### MEMPHIS, TENN.

#### **Malaria and Illness in Which Malaria Is a Contributory Cause—Notification of Cases. Reports of Deaths from Malaria. (Ord. Aug. 28, 1917.)**

SECTION 1. That hereafter all cases of malaria and all cases in which malaria is a contributory cause shall be reported to the department of health in the same manner as now required by law with reference to contagious diseases.

SEC. 2. That every physician shall immediately report to the department of health, in person or in writing, any person he may attend, or be called to see (within the city limits of the city of Memphis, or 1 mile outside thereof) sick with, or whom such physician has reason to suspect is sick with malaria, or any other illness in which malaria is a contributory cause; such report giving the name, color, age, and place of residence of the person suffering with said illness. In the absence of a physician the parent, guardian, employer, or head of the house where such patient is sick shall make such report. It shall also be the duty of each and every practicing physician to report in writing to the department of health any of his patients who shall have died within said city of malaria, said report to be made within 24 hours thereafter.

#### **Dwellings—Screening Required. (Ord. June 20, 1917.)**

SECTION 1. That it shall be unlawful to occupy, as a dwelling, a house, or part thereof, unless the portion so occupied as a dwelling shall be so screened as to prevent the entrance of mosquitoes and flies, from the 1st day of April to the 1st day of November of each year, with screen cloth of copper, iron, or other material, which shall not be coarser than 16 meshes to the inch and shall cover all openings through which mosquitoes or flies can gain entrance: *Provided, however*, That the screens on buildings now screened with screen

cloth having less than 16 meshes to the inch may be allowed to remain in use on such buildings until such time as the same requires renewing, but in replacing the same, screen not less than 16 meshes to the inch shall be used.

SEC. 2. That any person violating the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction fined not less than \$2 nor more than \$50. Each day that a house is occupied as a dwelling during the period from the 1st day of April to the 1st day of November, unless screened in accordance with the provisions hereof, shall constitute a separate offense.

### SPARTANBURG, S. C.

#### Mosquitoes—Prevention of Breeding. (Ord. July 1, 1918.)

SECTION 1. It shall be unlawful to have, keep, maintain, cause, or permit, within the incorporated limits of Spartanburg, S. C., any collection of standing or flowing water in which mosquitoes breed or are likely to breed unless such collection of water is treated so as to effectively prevent such breeding.

SEC. 2. The collections of water considered by section 1 of this ordinance shall be held to be those contained in ditches, ponds, pools, excavations, holes, depressions, open cesspools, privy vaults, fountains, cisterns, tanks, shallow wells, barrels, troughs (except horse troughs in frequent use), urns, cans, boxes, bottles, tubs, buckets, defective house-roof gutters, tanks of flush closets, or other similar water containers.

SEC. 3. The method of treatment of any collections of water that are specified in section 2, directed toward the prevention of breeding of mosquitoes, shall be approved by the health officer and may be any one of the following:

(a) Screening with wire netting of at least 16 meshes to the inch each way or any other material which will effectively prevent the ingress or egress of mosquitoes.

(b) Complete emptying every seven days of unscreened containers, together with their thorough drying or cleaning.

(c) Using a larvicide approved and applied under the direction of the health officer.

(d) Covering completely the surface of the water with kerosene, petroleum, or paraffin oil once every seven days.

(e) Cleaning and keeping sufficiently free of vegetable growth and other obstructions and stocking with mosquito-destroying fish; absence of half-grown mosquito larvæ to be evidence of compliance with the measure.

(f) Filling or draining to the satisfaction of the health officer.

(g) Proper disposal of tin cans, tin boxes, broken or empty bottles, and similar articles likely to hold water.

SEC. 4. The natural presence of mosquito larvæ in standing or running water shall be evidence that mosquitoes are breeding there, and failure to prevent such breeding within three days after notice by the health officer shall be deemed a violation of this ordinance.

SEC. 5. Should the person or persons responsible for conditions giving rise to the breeding of mosquitoes fall or refuse to take necessary measures to prevent the same within three days after due notice has been given to them, the health officer is hereby authorized to do so, and all necessary costs incurred by him for this purpose shall be a charge against the property owner or other person offending, as the case may be.

SEC. 6. The health officer shall enforce the provisions of this ordinance, and for this purpose the health officer, person, or persons acting under his authority

may at all reasonable times enter in and upon any premises within his jurisdiction; and any person or persons charged with any of the duties imposed by this ordinance failing within the time designated by this ordinance or within the time stated in the notice of the health officer, as the case may be, to perform such duties, or to carry out the necessary measures to the satisfaction of the health officer, shall be deemed guilty of violation of this ordinance, and for each day after the expiration of this time that said person fails to comply with this ordinance shall be deemed guilty of a separate violation of this ordinance.

SEC. 7. The person held under this ordinance to be responsible for the correction of conditions on premises giving rise to or likely to give rise to breeding of mosquitoes, shall be the owner, and in his absence the agent or owner of said premises: *Provided*, Any tenant causing or permitting said conditions without the consent of the owner or agent shall be held responsible. Where a trespasser or other person is known to cause or to have caused said conditions without the consent of owner, agent, or tenant, then such person shall be held responsible.

SEC. 8. Any person who shall violate any provision of this ordinance shall on each conviction be subject to a fine of not more than \$100 or be imprisoned for not more than 30 days. All acts or parts of acts in conflict with this ordinance are hereby repealed.

#### TOLEDO, OHIO.

#### **Mosquitoes—Prevention of Breeding—Issuance of Bonds for. (Ord. 855, Apr. 30, 1917.)**

SECTION 1. That the bonds of the city of Toledo, Ohio, be issued in the sum of \$20,000 for sanitary purposes, for the purchasing and acquiring of oil, for the placing of the same in sewers, catch basins, manholes, stagnant pools, and other places favorable to the breeding of mosquitoes, and for such purposes necessary to the elimination of the breeding of mosquitoes, for the prevention of disease and the preservation of public health; said bonds to be of the denomination of \$1,000 each, numbered consecutively from 1 to 20. Said bonds shall be dated May 1, 1917, and shall be due and payable in four years from the date thereof. Said bonds shall bear interest at the rate of 4 per cent per annum, payable semi-annually, evidenced by coupons to be attached thereto, with both interest and principal made payable at the office of the United States Mortgage & Trust Co. in the city of New York, State of New York.

SEC. 2. Said bonds shall be issued and sold in accordance with the general laws of the State of Ohio and the provisions of the charter of the city of Toledo relating to the issue and sale of municipal bonds. Said bonds shall express upon their face the purpose for which they are issued and that they are issued in pursuance of this ordinance.

SEC. 3. Said bonds shall be prepared, issued, sold, and delivered under the direction of the committee on finance, ways, and means of the council and the director of finance shall be signed by the mayor and the director of finance and sealed with the corporate seal of the city of Toledo, and the interest coupons attached to said bonds shall be executed by the director of finance with his signature thereto, or he may have his signature printed or lithographed thereon.

SEC. 4. Said bonds shall be first offered to the trustees of the sinking fund of the city of Toledo, the board of commissioners of the sinking fund of the city school district of the city of Toledo, and the Industrial Commission of Ohio in the order named, and such of said bonds as are not taken shall be advertised for public sale by the director of finance in the manner provided by law. Said com-

mittee on finance, ways, and means and the director of finance shall, at the time fixed by said notice, sell said bonds to the highest bidder, but not for less than their par value and accrued interest.

SEC. 5. That the proceeds of the sale of said bonds, except the premium and accrued interest thereon, shall be placed in the city treasury to the credit of a fund to be designated as "sanitary fund for elimination of mosquitoes" and shall be disbursed upon proper vouchers for the purpose of purchasing and acquiring oil and the placing of the same in sewers, catch basins, manholes, stagnant pools, and other places where mosquitoes are known to breed and for the abatement of such breeding places as may be expedient, and for no other purpose.

SEC. 6. That in order to provide an amount sufficient to pay the interest on said bonds and to provide a sinking fund for their final redemption at maturity there shall be, and is hereby, ordered levied upon all of the taxable property of said city, in addition to all other taxes, the following annual tax, to wit: In each of the years 1917 to 1920, both inclusive, a tax sufficient to produce the sum of \$800 for interest and \$5,000 for principal. Said tax shall be, and is hereby, ordered certified, levied, and extended upon the tax rolls and collected by the same officials and in the same manner and at the same time as taxes for general purposes in each of the said years are certified, extended, and collected. All funds derived from said tax shall be placed in the sinking fund and, together with all interest collected thereon, shall be irrevocably pledged to the payment of the interest and principal of said bonds when and as the same shall fall due.



## MEAT AND MEAT FOOD PRODUCTS.<sup>1</sup>

### CHICAGO, ILL.

#### Meat Food Products Establishments—Licensing—Construction—Sanitary Regulation—Employees—Kind of Meat to Be Used. (Ord. Oct. 15, 1917.)

**SECTION 1. *Meat food products establishment defined.***—That any place or establishment occupied, used, or maintained for the purpose of conducting, operating, or engaging in the business of selling, offering for sale, having in possession with intent to sell fresh, stored, pickled, salted, dried, smoked, or cooked meats, fish, shell fish, poultry, game, sausage, or other meat food products at wholesale or retail, or any place or establishment occupied, used, or maintained for the purpose of pickling, salting, curing, cooking by boiling or otherwise, smoking, drying, extracting, canning, bottling, or preserving by processes other than refrigeration any meat, fish, poultry, or game, or for any processes of comminuting and mixing or compounding the same, either fresh, salted, pickled, or smoked, with or without added salt or spices or with or without the addition of edible animal fats, cereals, blood, or sugar where such product is intended for human food and is made or prepared for the purpose of selling, offering for sale, exposing for sale, or keeping with the intention of selling, shall be deemed a meat food products establishment for the purpose of this ordinance: *Provided*, That licensed restaurants treating meat, fish, poultry, or game, as aforesaid, for consumption in such restaurant only, and places occupied, used, or maintained exclusively for the rendering of lard or tallow, or licensed delicatessen stores where those cooked, dried, smoked, pickled, salted meats, fish, poultry, and sausage, commonly known as "delicatessen," are sold in conjunction with other delicatessen goods, shall not be considered meat food products establishments: *And provided further*, That establishments under government inspection and all carcasses, meats, and meat food products while in establishments under government inspection which have been inspected and passed by the United States Government inspectors under the rules and regulations of animal industry may be exempted from the inspection provided by this ordinance.

**SEC. 2. *Meat food products establishment, license required.***—No person, firm, or corporation shall establish, maintain, or operate any meat food products establishment without first obtaining a license as hereinafter required.

**SEC. 3. *Application; duty of commissioner of health.***—Any person, firm, or corporation desiring a license to establish, maintain, or operate a meat food products establishment shall make written application to the commissioner of health, stating the name and residence of the applicant, if an individual, or the names and residences of all the members of the firm, if a copartnership, or the names and residences of the principal officers if the applicant is a corporation; also the location and description of the premises where such meat food products establishment is to be conducted. The commissioner of health

<sup>1</sup> See also Foodstuffs, eating and drinking places, food establishments, soda fountains, and ice cream parlors, p. 150.



shall then make or cause to be made an investigation of the premises, of the reports of inspection of the premises named and described in said application for the purpose of determining the fitness and suitability of such premises for a meat food products establishment from a sanitary standpoint. The commissioner of health shall then transmit to the mayor the said application, together with his recommendation for or against the issuance of a license. If the mayor shall be satisfied that the applicant or applicants, or its chief officers (if it is a corporation), is or are of good character and reputation and that the premises where the meat food products establishment is to be located are proper and suitable from a sanitary standpoint, he shall issue or cause to be issued a license in accordance with such application.

**SEC. 4. Fee; date of expiration of license.**—Every such applicant, on compliance with aforesaid requirements and the payment of the license fee hereinafter provided for, shall receive a license under the corporate seal, signed by the mayor and attested by the city clerk, which shall authorize the person, firm, or corporation therein named to establish, maintain, or operate a meat food products establishment at the place designated therein. All applicants for a license to conduct a meat food products establishment shall pay an annual license fee of \$20 per annum where the applicant engages in business before April 1. Any applicant who engages in business between April 1 and June 30 shall pay a license fee in the sum of \$15. When the applicant for such license engages in business between July 1 and September 30 the license fee shall be \$10. When the applicant for such license engages in business after September 30 the license fee shall be \$5.

All licenses granted to persons, firms, or corporations to conduct a meat food products establishment shall expire on the 31st day of December following the issuance of same.

**SEC. 5. License to be posted.**—Every person, firm, or corporation licensed in accordance with the provisions of this article shall immediately post the said license or permit, or cause it to be posted, and shall at all times keep it posted in a conspicuous place within the premises where such meat food products establishment is thereby authorized to be established, maintained, or operated.

**SEC. 6. Revocation of license.**—The commissioner of health may revoke any permit he has issued or at any time recommend the revocation of any license issued under the terms of this article, and the mayor may revoke such license by notice in writing whenever it shall appear to his satisfaction from the recommendation of the commissioner of health, or otherwise, that the licensee has violated the provisions of any law of the State of Illinois or any ordinance of the city of Chicago relating to the carrying on of the business named in the license.

**SEC. 7. Sanitary requirements.**—It shall be the duty of every person, firm, or corporation conducting, operating, or maintaining a meat food products establishment to keep the floor, side walls, pillars, partitions, ceiling, receptacles, refrigerators, implements, and machinery of every such establishment, and all cars, trucks, and vehicles used for the transportation of food products, in a clean and sanitary condition; and for the purposes of this ordinance unclean and insanitary conditions shall be deemed to exist if the food in the process of production, preparation, manufacture, packing, storing, sale, distribution, or transportation is not securely protected from flies, vermin, dust, dirt, and from other foreign or injurious contamination; or if refuse, dirt, or waste products subject to decomposition and fermentation are not removed daily, or if the trucks, trays, boxes, buckets, or other receptacles, or the chutes, plat-

forms, racks, tables, shelves, and knives, saws, cleavers, and other utensils, or the machinery used in moving, handling, cutting, chopping, mixing, canning, or other processes are not thoroughly cleaned daily, or if the clothing or hands of operatives or other persons employed therein is unclean.

**SEC. 8. Sanitary equipment required.**—All meat food products establishments and vehicles shall be provided with proper doors and screens, so as to adequately prevent the contamination of food products from flies.

Every such establishment shall have adequate and convenient toilet rooms and lavatory or lavatories, and such toilet room or rooms shall be separate and apart from and shall not be ventilated into the room or rooms where the process of production, preparation, manufacture, packing, storing, canning, selling, and distributing is conducted. The floors of such toilet room or rooms shall be of nonabsorbent material and shall be kept clean and sanitary. The lavatories and wash rooms shall be adjacent to the toilet rooms, or when the toilet is outside of the building the wash room shall be near the exit to the toilet. Lavatories and wash rooms for meat food products establishments shall be supplied with soap, running water, and clean, individual towels, and shall be maintained in a clean and sanitary condition.

The floors of meat-canning rooms, curing cellars, boning rooms, meat-chopping rooms, meat-boiling rooms, or other rooms where water is used in connection with the operation shall be of cement or other impervious material, and shall be properly graded to sewer-connected drains.

The walls and ceiling of compartments in which edible products are prepared or stored shall be of smooth cement, enameled brick, or other smooth, hard substance that can be kept clean and sanitary.

Tables and other equipments of such establishments must be made of smooth, hard material, so constructed that they can be kept clean and sanitary. When the tops of tables are made of wood, which must be hardwood, they shall be so constructed that they can be easily cleaned.

Rooms of meat food products establishments used for purposes other than smoking, refrigerating, or storing meat and meat food products, in which artificial illumination is required in the daytime, or any portion, the floor of which is more than 5 feet below the level of the street or sidewalk or alley adjacent to such building, shall not be used for the preparation of meats unless a special permit shall be separately issued therefor by the commissioner of health, which permit may be issued for a limited time, and which may be revoked by the commissioner of health when the light and ventilation of such places is impaired on account of changes in the surrounding conditions or when such place is not conducted in a clean and sanitary manner. Such room or rooms must be adequately ventilated.

Signs prohibiting expectoration shall be posted throughout the establishment, and a sufficient number of cuspidors must be provided.

Pickling vats must be constructed of hardwood, cement, or other smooth, hard substances that can be kept clean and sanitary. The inner surface of the same must be smooth and free from defects.

**SEC. 9. Sanitary methods of handling meat products.**—Meat and other food-stuffs, except when in storage or refrigerator rooms, shall not be placed directly on the floor, but must be placed on a rack or in a suitable container. All racks on which meat is laid or hung shall be made of smooth, hard material, constructed so that they can be removed for cleaning. Floor racks and the opening of boxes or containers must be at least 6 inches above the level of the floor.

All water and ice used on the premises shall be clean and uncontaminated.

All machinery, containers, and utensils must be cleaned at least once each day with hot water and soap or suitable washing powder and shall be kept covered when not in use.

The workmen shall be required to wear, while at work, clean, washable outer clothing.

Meat that has fallen on the floor shall not be used for food products and shall be immediately condemned and tanked, unless such meat has been trimmed or cleaned sufficiently to remove all contamination.

No operative, employee, or other person shall expectorate on the utensils, apparatus, or on the floors or sidewalls of any building, room, basement, or cellar where the production, preparation, manufacture, packing, storing, or sale of any food products is conducted. Operatives, employees, clerks, and all persons who handle material from which food products are prepared or any finished food product, before beginning work, or after visiting toilet or toilets, shall wash their hands thoroughly in clean water. Signs shall be kept posted in a conspicuous place in such toilet or toilets informing employees of the provisions of this article in regard to washing their hands.

It shall be unlawful for any employer to require, suffer, or permit any person who is affected with any contagious or venereal disease, or who is a carrier of diphtheria or typhoid fever or other infectious disease, to work, or for any person so affected to work in a building, room, basement, inclosure, premises, or vehicle occupied or used for the production, preparation, manufacture, packing, storage, sale, distribution, or transportation of food.

No meat food products establishment shall be maintained in any building in which horses, mules, or cows are kept or stabled unless such plant is entirely separated by a tight wall from the portion of any such building in which horses, mules, or cows are kept or stabled. The immediate vicinity of all such establishments shall be kept free from the accumulation of rubbish, garbage, manure, or other putrefying, decomposing, infectious, or bad-smelling substances.

Stacks of smokehouse shall be of sufficient height and so constructed as not to discharge their contents in the immediate vicinity of the necessary doors, windows, or other air intake of habitable rooms, offices, workrooms or rooms used for public meetings or gatherings.

SEC. 10. *Kind of meat to be used.*—It shall be unlawful for any person, firm, or corporation to use in any meat food products establishment, or to bring into or keep in the same, with the intention of using, any carcasses or parts of carcasses of cattle (except carcasses or parts of carcasses of calves under the age of 10 weeks), sheep, swine, or goats, or any meat or meat food products thereof, or casings, or stomachs thereof, unless the same have been inspected and passed and so marked or tagged, or the packages containing the same so marked or tagged by the proper authorities of the city of Chicago, or of the State of Illinois, or of the United States Government.

SEC. 11. *Use of unwholesome meat and meat food products prohibited.*—It shall be unlawful for any person, firm, or corporation to use in any meat food products establishment, or to bring into or keep in the same with the intention of using, or to sell, offer for sale, or have in his possession with the intention of selling, any meat or meat food products which are unclean, unwholesome, putrid, decayed, poisoned, infected, or in any other manner rendered unsafe or unwholesome for human food.

For the purposes of this ordinance meat and meat food products shall be deemed unwholesome for human food if the same have been contaminated by flies, dust, dirt, or other foreign contamination, if they contain any poisons or

deleterious ingredients which may render such articles injurious to health, or if they contain the whole or part of any sausages or any canned meat or meat food products which have been on the market and are now worked over, or if the same are or have been submerged in brine which is unclean, sour, putrid, spoiled, or contaminated; or if the same contain any inedible lard or tallow, or the whole or part of any genital organs or udders; or if the same consist of the whole or part of any unborn or stillborn animals, or the whole or part of animals too immature to produce wholesome meat.

SEC. 12. *Penalty.*—Any person, firm, or corporation who shall violate any of the provisions of this article or who shall neglect or refuse to comply with any of the requirements thereof, shall be fined not less than \$5 nor more than \$100 for each offense.

SEC. 13. This ordinance shall be in force and effect from and after January 1, 1918.

#### HARTFORD, CONN.

#### Meat—Sale—Inspection of Carcasses—Inspection of Food Establishments and Slaughterhouses. (Ord. Jan. 9, 1917.)

SECTION 1. It shall be unlawful for any person, firm, or corporation to have, keep, sell, or expose for sale or to have in possession with intent to sell for human food the flesh of any cattle, calves, sheep, swine, or goats, unless the same shall have been slaughtered under the supervision of the board of health commissioners of the city of Hartford in accordance with the provisions of this ordinance: *Provided, however,* That this ordinance shall not apply to cattle, calves, sheep, swine, or goats slaughtered under the supervision of the United States Government in accordance with the regulations relating to the inspection of meats as prescribed by the Department of Agriculture of the United States and bearing the stamp of such inspection, or to any such meats slaughtered under the supervision of and bearing the stamp of an official meat or food inspector of another city in this State, in which the inspection of meat has been approved by the board of health commissioners of this city, showing that such meat has been inspected and passed by the meat or food inspector of such other city.

SEC. 2. It shall be unlawful for any person, firm, or corporation to sell, have, keep or expose for sale or have in possession with intent to sell for human food, the flesh of any cattle, calves, sheep, swine, or goats, unless there has been placed on each primal part thereof, by or under the personal supervision of an inspector of the United States, or of the city of Hartford, or of another city, approved by said board of health, as in section 1 provided, a mark, stamp, or brand showing that the same has been inspected and passed for food purposes.

SEC. 3. Carcasses of animals killed outside the limits of the city of Hartford, which are to be sold within the city of Hartford, may be offered for inspection on the following conditions: Carcasses presented for inspection must have the head, heart, liver, and lungs held by the natural attachments. Such carcasses, if offered, shall be inspected and if found to be free from disease and otherwise sound and healthful, and if slaughtered and transported in a sanitary manner, shall be passed and stamped. If found to be diseased, unsound, unwholesome, or otherwise unfit for human food, they shall be condemned for food purposes and destroyed. For the examination of such carcasses a fee, to be fixed by the board of health commissioners, shall be paid.

SEC. 4. It shall be unlawful for any person, firm, or corporation, except inspectors appointed by the board of health, to have in possession, keep, or use



any mark, stamp, or brand provided or used for marking, stamping, or branding as inspected and passed, any article herein required to be so marked, stamped, or branded, or any mark, stamp, or brand having thereon a device or words similar in character or import to the marks, stamps, or brands provided or used for such purposes by the board of health commissioners.

SEC. 5. It shall be the duty of the inspectors of the board of health, and they are hereby empowered, to enter all places in which the slaughtering of animals for food is being carried on and to make such inspection of the said animals as may be deemed necessary to determine their fitness for human food. It shall be unlawful for any person, firm, or corporation owning or having charge of any place in the city in which animals are slaughtered for food to permit the removal therefrom of any carcass or part thereof until the same shall have been inspected and stamped, as approved or condemned by a meat inspector of the board of health. Condemned carcasses or parts shall not be removed from the slaughterhouse until they have been treated, in the presence of the inspector, in such a way as to prevent their future use for human food.

It shall be the duty of the inspectors of the board of health, and they are hereby empowered, to enter any place where the meat or flesh of any animal mentioned in this ordinance, or the products thereof, may be stored, held, kept, exposed, or offered for sale; and also every establishment where meat is manufactured into articles of food or preserved, cured, canned, or otherwise prepared for food, and inspect the same, and whenever such meat or flesh shall, upon inspection and examination, be found not marked, stamped, or branded so as to show that the same has been inspected and passed for food purposes as in this ordinance provided, the said inspectors of the board of health shall condemn the same and shall order such disposal as will prevent its use as human food.

SEC. 6. It shall be unlawful for any person or persons to transport or cause to be transported in any vehicle through the streets or public ways of the city of Hartford any meat unless the same is securely wrapped in paper or tightly sewed cloth covering, or unless such vehicle is provided with a tight cover, which shall be kept closed at all times during such transportation, so as to not expose the meat to dust, dirt, filth, or other deleterious substance.

SEC. 7. It shall be the duty of the board of health commissioners, through their inspectors, to visit from time to time places in the vicinity of the city of Hartford where animals are slaughtered and sent to the city for sale, to see whether such places are clean and sanitary. If, in their opinion, conditions are such as to render meat from such places unfit for food, they shall refuse to allow said meat to be brought into the city.

If the proprietor or person in charge of such places outside of the city shall refuse to allow the board of health commissioners or their representative to enter and inspect the premises, said board shall refuse to allow meat or other food products from such places to be brought into the city.

SEC. 8. The board of health commissioners shall adopt and promulgate such rules and regulations as are necessary to carry into effect the provisions of this ordinance.

SEC. 9. Said board of health commissioners shall appoint such inspectors as made be necessary for the carrying out of the provisions of this ordinance and shall fix their compensation.

SEC. 10. Every person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$50.



## LOUISVILLE, KY.

**Meat—Sale—Appointment, Salaries, and Duties of Meat Inspectors—Sanitary Regulation of Slaughtering and Slaughterhouses. (Ord. 140, May 22, 1919.)**

SECTION 1. *Sale of meat in city; when unlawful.*—The sale, offering, exposing, or having in possession for sale of any meat within the city of Louisville which has not been inspected by Federal, State, or municipal authority at the time of slaughter is hereby prohibited, as well as the bringing of any such meat into the city of Louisville for the purpose of sale, except as otherwise provided in section 7. It shall further be unlawful for any person, firm, or corporation to sell, expose, or offer, or have in possession for sale for human consumption any meat which is in anywise not fit for such purpose.

SEC. 2. *Issuance of permits.*—It shall be unlawful for any person, firm, or corporation to sell, offer, or expose for sale within the city of Louisville any meat intended for human consumption, whether slaughtered within the city or elsewhere, unless such person or persons shall have a permit so to do from the health officer of said city, the same to be issued for a period of one year. Where any such person, firm, or corporation conducts or operates more than one place of business in the city of Louisville a separate permit shall be issued for each such place of business. Such permit shall be issued only upon the health officer's being satisfied that the meat, before being offered for sale, has been and will be inspected, slaughtered, and stamped in accordance with the provisions of this ordinance and that the equipment and method connected with the slaughtering, transportation, and sale of the product are sanitary and otherwise fit for the protection of the meat from contamination. The health officer shall issue permits to slaughterhouses when the provisions of this ordinance and the State laws relating to meat inspection have been complied with by said applicant.

SEC. 3. (a) *Appointment and salaries of inspectors.*—The board of public safety, with the approval of the mayor, shall appoint for a term of one year a chief inspector of meats, who shall be a graduate of a recognized school of veterinary science, having a course of not less than three years leading to a degree, and shall have had at least three years' experience in meat inspection, and no one shall be eligible to appointment as such inspector until he has passed a standard of examination equal to that prescribed by the Bureau of Animal Industry of the United States Department of Agriculture for chiefs of equal rank in the meat-inspection service of the Federal Government. Said chief inspector shall receive a salary of \$2,000 per annum, payable monthly, and shall execute bond to the city of Louisville in the penal sum of \$3,000 for the proper discharge of his duties, the sufficiency of which bond shall be determined by the mayor.

(b) The board of public safety, with the approval of the mayor, shall also appoint one first assistant meat inspector for a term of one year, and may appoint such additional assistant meat inspectors, not to exceed two, as shall be necessary to carry out the provisions of this ordinance. Said assistant meat inspector or inspectors shall be graduates of a recognized school of veterinary science, and no one shall be eligible to appointment as such assistant inspector until he has passed a standard of examination equal to that prescribed by the Bureau of Animal Industry of the United States Department of Agriculture for inspectors of similar rank in the meat-inspection services of the Federal Government. Each assistant inspector shall receive a salary of \$1,500 per annum, payable monthly, and shall execute a bond to the city of Louisville in the penal sum

of \$1,000 for the proper discharge of his duties, the sufficiency of which bond shall be determined by the mayor.

(c) The board of public safety, with the approval of the mayor, shall appoint one lay inspector for a term of one year and may also appoint additional lay inspectors for a term of one year not to exceed one inspector for each slaughterhouse operating under a permit, if necessary to carry out the provisions of this ordinance. Each lay inspector before appointment shall satisfy the board of public safety that he has had such experience in the inspection of meat and other places where meat is handled as will qualify him to carry out the provisions of this ordinance, other than the holding of post-mortem examinations; each lay inspector shall receive a salary of \$1,200 per annum, payable monthly, and shall execute a bond to the city of Louisville in the penal sum of \$1,000 for the proper discharge of his duties, the sufficiency of which bond shall be determined by the mayor.

(d) Any inspector appointed under this ordinance may be reappointed to the same office without standing another examination, upon satisfying the board of public safety that he is qualified to perform the duties of such office. Said inspectors shall after appointment conduct their work under the direction of the health officer and may be removed by the board of public safety at any time. All of said inspectors shall be expected and required to devote their whole time to the performance of the duties of their respective offices from 7 a. m. to 5 p. m.

SEC. 4. *Duties of inspectors.*—It shall be the duty of the chief meat inspector and his assistants to inspect and stamp all carcasses at the time of slaughter that are not inspected and stamped by Federal inspection, but all post-mortem examinations provided for herein shall be conducted by an inspector who is a veterinary and shall be present at the time of slaughter.

(a) In case any inspector shall be in doubt as to the existence of any diseased or injurious condition existing in any animal or in any meat, he shall have power to have such microscopic or other scientific investigation made as shall be necessary to determine the condition of such animal or meat, and he shall have the further power to take the same to any place necessary for making such examination.

(b) That it shall be the duty of the chief meat inspector, or one of his assistants, to conduct a post-mortem examination of all animals condemned by the live-stock inspector and ordered killed subject to post-mortem examination, and when found unfit for human food, to tank or deliver the carcasses of the same to the dead-animal contractor for disposition as by law required.

(Subsections c, d, e, f, g, h, and i stricken out.)

(j) It shall also be the duty of the chief meat inspector and his assistants to inspect slaughterhouses and other premises and all markets, stalls, refrigerators, and cars, wagons, and places where animals are slaughtered or where meat products are transported, kept, or offered for sale, to determine the wholesomeness and sanitary conditions of same.

(k) Said inspectors shall make reports of all places and of all meat inspected, and of all meat or animals or carcasses condemned, and said report shall be made weekly and filed and kept in the office of the health officer of the city as a public record. Said inspector shall immediately report all violations of this ordinance to the health officer. Said inspectors shall perform any other duty required in carrying out the provisions of this ordinance.

SEC. 5. *Regulation of slaughterhouses.*—(a) Meats intended for sale in the city of Louisville shall be slaughtered in a slaughterhouse which is clean and sanitary and equipped for the proper protection of meat. The slaughterhouse shall be equipped with an ice box or cold-storage compartment for the storage

and preservation of meat or meat products in which a temperature of not over 44° F. shall be maintained during the time when in the regular course of business it is necessary to open same for taking out or placing in the products stored therein, and at a temperature of not above 38° F. at all other times, allowing reasonable time for the lower temperature to be attained after use. Such slaughterhouses shall have adequate water, free from contamination, and so as to be applied hot or cold. The slaughterhouse shall have suitable floors, constructed in such a manner as to be water-tight, and which shall carry off into tubs or reservoirs, or into the sewer, all blood and waste. The floors shall be thoroughly scrubbed and cleaned each day after the slaughtering is completed. The building shall be screened, and walls and all exposed surfaces inside the slaughterhouse shall be kept clean and sanitary. The slaughterhouse shall have an efficient system of drainage and sewer connections so that no water or refuse of any kind shall soak into the ground. Provision shall be made for the prompt removal of the offal, for the cleaning of hooks, knives, implements, tubs, buckets, and other equipment, and the slaughterhouse shall be otherwise kept in a sanitary condition, and all meat and meat products inspected as required in detail by this ordinance, and by such laws of the State as may be in force and such valid regulations as have been adopted thereunder for guidance in meat inspection.

(b) All toilet rooms and dressing rooms shall be entirely separated from departments in which carcasses are dressed, or meat products are cured, stored, packed, handled, or prepared. All such rooms shall be properly lighted, ventilated, and kept in a sanitary condition.

(c) Butchers who dress or handle diseased carcasses or parts shall cleanse their hands and then immerse them in a proper disinfectant and rinse them in clear water before dressing or handling healthy carcasses. All butchers' implements used in dressing diseased carcasses shall be sterilized either in boiling water or by immersion in a proper disinfectant, followed by rinsing in clear water. Facilities for such cleansing and disinfection, approved by the inspector, shall be provided for the establishment. Separate sanitary trucks, which shall be appropriately and distinctly marked, shall be furnished for handling diseased carcasses and parts. Following the slaughter of any animal affected with an infectious disease a stop shall be made until the implements have been cleansed and disinfected, unless other clean implements are provided.

(d) Carcasses shall not be inflated with air from the mouth and no other inflation of carcasses, unless so labeled, shall be allowed. Carcasses shall not be dressed with skewers, knives, etc., that have been held in the mouth. Skewers shall be cleansed before being used again. Spitting on whetstones or steels when sharpening knives shall not be allowed.

(e) An offal shall be cleaned up and disposed of daily either by taking or removing from the premises of the plant. The system for, and operation connected with, the treatment of offal and condemned meats for fertilizer, grease, or other purposes shall be in a separate building, or in a different part of the building from that in which the products intended for food are handled, separated by masonry, or proper vestibule, and no fertilizer or other product of the tanked offal shall be stored or brought into any place or room where products intended for food are handled or stored. Such tankage operations shall be conducted in a sanitary manner, and with proper mechanical devices therefor, and the rendering and other rooms and equipment shall be cleaned daily, and there shall also be used a sufficient deodorizer to destroy all foul and offensive odors resulting from said operations.

(f) No animal intended for slaughter shall be fed on any uncooked meat or offal, or any meat or offal of a diseased animal.

(g) The health officer shall issue a permit for the operation of a slaughterhouse, when, upon examination, it appears that the provisions of this ordinance and of the State laws relating to slaughterhouses have been complied with by applicant. But where the applicant conducts more than one slaughterhouse in the city of Louisville a separate permit shall be necessary for the operation of each slaughterhouse, and each day that a slaughterhouse is operated or maintained without such permit shall be deemed a separate violation of this ordinance.

SEC. 6. *Municipal slaughterhouses.*—The health officer shall designate a slaughterhouse, or slaughterhouses, which shall be constructed and equipped as provided for in this ordinance and at which inspection can be maintained, as the municipal abattoir or abattoirs. This shall be conditioned, however, upon the owners or lessees of the slaughterhouse agreeing in writing that all butchers and other persons may slaughter animals at such slaughterhouse at a uniform fee for slaughtering, which shall not exceed 75 cents for every carcass of beef and 40 cents for every carcass of hog, sheep, veal, or other animal. Each such slaughterhouse shall post in a conspicuous place therein the rates at which animals may be slaughtered at such house, and it shall be a violation of this ordinance to charge a different rate or rates from those so posted. The respective parties shall be free to make such agreements as they deem best for the sale or disposal of the offal or animals so slaughtered.

SEC. 7. *Inspection at time of slaughter; exceptions.*—It shall be unlawful to sell, or offer, expose, or have in possession for sale, any meat in the city of Louisville which has not been inspected and stamped at the time of slaughter by Federal, State, or municipal authority, except carcasses of meat slaughtered by farmers or others not regularly engaged in the slaughtering of animals: *Provided, however,* That such carcasses shall be brought to the place of inspection to be designated by the meat inspector, with such organs or parts of organs naturally attached, as shall be required for the purposes of inspection, and such carcasses before being offered for sale shall be inspected and stamped as in other cases: *And provided further,* That nothing herein shall exempt Federal or other inspected meat for inspection as to fit condition for food when arriving for sale, or when exposed for sale in the city of Louisville.

SEC. 8. (a) *Condemnation; stamped; rendering.*—Whenever the meat inspector shall, by inspection, determine that any carcass, or part of a carcass, is diseased or otherwise unfit for food, the same shall be stamped or tagged in a manner so as to designate it as unfit, and such meat shall not be brought into, or sold, or offered for sale, in the city of Louisville, but shall be tanked or otherwise rendered unfit for food, under the supervision and in the presence of the inspector, who shall make a written report to the health officer showing the amount and character of meat so condemned.

(b) The health officer shall devise and enforce an adequate method of checking up and accounting for the disposition of all meat and carcasses condemned under the provisions of this ordinance in order to prevent meat being thereafter sold for human consumption. The person in whose possession said condemned meat may be left, or to whom it may be turned over, shall, as soon thereafter as practicable, report in writing to the health officer how such meat was disposed of and the quantity of same, and any false statement so made by such person shall be deemed a violation of this ordinance and shall in addition be sufficient ground for the revocation of the permit hereunder granted to the person, firm, or corporation making such false report.

SEC. 9. *Revocation of permit.*—(a) Any permit granted under this ordinance may be revoked whenever it is found that the conditions upon which the permit



was granted are not being complied with. But no permit shall be revoked until the party proceeded against shall be summoned by notice in writing issued by the clerk of the police court, or his deputy, at the instance of any party complaining, which notice shall specify briefly the ground upon which said revocation is sought and shall be served in the manner required by the civil code of practice for the service of summons: *Provided, also*, That said notice shall require the defendant to appear on the third day after the service of such notice, unless such third day be a Sunday or a holiday, in which event the defendant shall appear on the next regular week day that is not a legal holiday.

(b) The revocation of a permit shall ipso facto forfeit all license fees for the unexpired term [for] which such license fees were paid.

(c) No person whose permit shall have been revoked shall thereafter directly or indirectly, through another person, obtain a permit under this ordinance within six months from the time of such revocation.

SEC. 10. *Marking; misuse of stamp.*—The health officer shall designate a uniform method of marking meat which has been inspected and passed, and meat which is unfit for food, and any person, firm, or corporation counterfeiting, imitating, or not rightfully using the stamp of the Federal Government, the stamp of any State or other municipal inspection, or the stamp of the inspection of the city of Louisville, shall on conviction be fined not less than \$10 nor more than \$50 for each offense.

SEC. 11. *Fines.*—Any person violating any section of this ordinance, or who shall operate without obtaining a permit as herein provided, shall be fined not less than \$5 nor more than \$50 for each offense, except as otherwise herein provided and except where greater penalty is imposed by statute, and each day that such violation continues shall be construed as a separate offense.

SEC. 12. All ordinances in conflict herewith and especially an ordinance entitled "An ordinance for the inspection of animals slaughtered for meat supply in the city of Louisville and of meat intended for sale within the city of Louisville and to regulate slaughterhouses and meat sellers and markets," approved January 14, 1915, are hereby repealed.

### MILWAUKEE, WIS.

#### Meat—Sale—Preparation of Meat Food Products—Sanitary Regulation of Slaughtering and Slaughterhouses. (Ord. Oct. 20, 1919.)

SECTION 1. There are added to the Milwaukee Code of 1914, 21 new sections to read:

SEC. 805.1. It shall be unlawful for any person, firm, or corporation to sell, have, keep, or expose for sale for human food, or have in possession the flesh or meat food products of any cattle, calves, sheep, swine, horses, or goats, unless the same shall have been slaughtered or prepared under the supervision of a United States Government inspector in accordance with the regulations regulating the inspection of meat as prescribed by the Department of Agriculture of the United States, or in lieu of United States inspector under the supervision of an inspector of the health department of the city of Milwaukee in accordance with provisions of section 805.1 to 805.993, both inclusive.

SEC. 805.2. It shall be unlawful for any person, firm, or corporation to sell, have, keep, or expose for sale, or have in possession the flesh or meat food products of any cattle, calves, sheep, swine, horses, or goats, unless there has been placed on each primal part, package, or container thereof, by and under the personal supervision of an inspector of the United States, or of the city of Milwaukee, a mark, stamp, or brand showing that the same has been inspected



and passed for food purposes by the United States Department of Agriculture, or showing that the same has been inspected and passed for food purposes by the city of Milwaukee. Said stamp when used by said city of Milwaukee to have the words "Inspected and Passed Milwaukee Health Department," together with the number of the inspector stamped thereon, as hereafter provided, by whom the same was inspected.

SEC. 805.3. The proprietor or operator of each slaughtering, packing, meat canning, rendering, or similar establishment engaged in the slaughtering of cattle, calves, sheep, swine, horses, or goats, or in the packing, canning, or other preparation of any food product into which the meats or meat food products of said animals enter, either in whole or in part, for Milwaukee market, shall make application to the department of health for a permit so to do. The said application shall be made in writing addressed to the commissioner of health, and shall state the location of the establishment, the address of the owner or authorized agent of the same, the kind of animals slaughtered, the day and hour of slaughtering, the time per day consumed in slaughtering, the estimated number of animals of any species slaughtered per day and week, or the estimated amount of meats or meat food products received from other establishments, and the character, quantity, and proposed disposition of the products of said establishment. (Blank application forms will be furnished, upon request, by the commissioner of health.) Upon filing of such application with the said department of health, the chief inspector, food division, or any inspector designated by him, shall inspect said establishment, and if same shall be found to comply with the provisions of this regulation relative to the construction, equipment, and cleanliness of such establishments a permit shall be issued. Said permits shall be issued free of charge and renewed annually January 1.

SEC. 805.4. The department of health may refuse to grant such permit, and may revoke the same when granted, and may refuse inspection, if the applicant or person to whom the permit was issued does not comply with the rules and regulations now in force, or that may hereafter be adopted by the department of health for the slaughter of meat or preparation of meat food products.

SEC. 805.5. Owners of establishments outside of the city, slaughtering calves, sheep, or goats may receive inspection at the following places:

First. At any establishment where inspection is permanently established and at station located at the Second Ward Market, one on the north side and one on the south side.

All carcasses shall be inspected and passed or condemned according to the provisions of this regulation.

Any such establishment which is located at a distance of 1 mile or more beyond the limits of the city shall pay an inspection fee to the treasurer of the city of Milwaukee of \$1 for each hour of inspection and a minimum of three hours' fee for each inspection day; said time to be counted from the time of the inspector's leaving the office of the department of health until his return to said office.

If the fees herein provided are not paid promptly upon the day when the same shall become due under the terms of this ordinance, an action may be commenced in a court of competent jurisdiction against the person, firm, or corporation in default to recover the amount due, and no inspection shall be furnished to the person, firm, or corporation so in default until the whole amount due, together with costs, is paid to the city of Milwaukee.

SEC. 805.6. Any person, firm, or corporation desiring to slaughter any cattle, calves, sheep, horses, goats, and swine, the flesh or edible products of which is to be sold for food in the city of Milwaukee, shall give notice to the chief in-

spector, food division, of said city at least 24 hours before such slaughtering is to take place, that the services of an inspector thereof will be required.

SEC. 805.7. The person in charge of the slaughtering shall notify the inspector in charge at the close of each day at what time on the following day the work of slaughtering will be commenced, and if no slaughtering is to be done on the day following, then in that event he shall notify the inspector or the department of health at what time and on what succeeding day the work of slaughtering will be next commenced.

SEC. 805.8. The days and parts of days during which the work of slaughtering any animals mentioned in section 805.5 to 805.903, both inclusive, may be done, shall be fixed by agreement between the holder of the permit for such slaughtering and the chief food inspector; and in case an agreement can not be had, the commissioner of health is hereby empowered to designate the time at which such slaughtering shall be done. All slaughtering shall be done with reasonable speed, the character of the establishment being considered.

SEC. 805.9. The slaughtering of horses, cattle, and swine shall be conducted on week days between the hours of 6.30 a. m. and 5.30 p. m., except in certain cases of emergency, when permission to slaughter may be granted by the chief inspector, food division, or except in the case of injury or other extraordinary cases when it is necessary to kill animals out of established hours, in which case the carcasses of all such animals, with the viscera attached, and all other parts identifiable, shall be held for inspection and duly identified by the inspector or his assistants at the slaughtering establishment, with a signed statement certifying the reason of such slaughters from the manager of the abattoir. No animals shall be slaughtered on Sundays, except in cases of emergency, without permission of the chief inspector, food division. Such permission to be obtained 24 hours in advance.

SEC. 805.91. Each employee of the health department engaged in inspection under these regulations will be furnished with a numbered badge, which he shall wear on the left breast, on the outer clothing, while in the performance of his official duties, and which shall not be allowed to leave his possession. The number of his badge must correspond with the number of the stamp which he uses to mark inspected and passed carcasses.

SEC. 805.92. Where the work of an establishment is sufficient to demand the entire time of an inspector, the proprietors of said establishment shall furnish an office room, including heat and light, washing facilities, and rent free, for the exclusive use of the inspector and other employees of the department on duty at such establishment. Such room shall be properly lighted and ventilated and provided with lockers for storage of supplies and clothing.

SEC. 805.93. It shall be considered a misdemeanor, punishable by instant dismissal, for any department employee engaged in the performance of his duty under these regulations to receive or accept from any person, firm, or corporation engaged in the sale of meat or meat food products in the city of Milwaukee any gift, money, or other thing of value given with any purpose or intent whatsoever.

SEC. 805.94. No permit shall be issued to any person, firm, or corporation to engage in the business of slaughtering animals for use for food purposes in the city of Milwaukee unless the establishment in which the same are to be slaughtered shall conform strictly with the following regulations:

(a) All floors must be water-tight, kept in good repair, and so constructed that they can be readily flushed and drained.

(b) All rooms except the coolers and cellars to have at least 1 square foot of window space for every 8 square feet of floor space.

(c) The side walls of all killing rooms, when not constructed of brick, stone, concrete, or smooth, matched lumber, well painted, shall be covered with non-absorbent material to a height of 6 feet above the floor.

(d) All rooms except the cooler shall be screened with a screen sufficiently fine to keep out flies and other insects.

(e) Ceilings, walls, and pillars shall be painted some light color or lime washed at least twice yearly. The lower 4 feet of all walls, pillars, etc., may be painted some dark color.

(f) All trucks, trays, and other receptacles, all chutes, floors, platforms, racks, tables, etc., and all knives, saws, cleavers, and other tools, and all utensils and machinery used in moving, handling, cutting, chopping, mixing, canning, or other process, shall be thoroughly cleaned daily.

(g) Cuspidors must be placed on all floors and in all departments wherever killing or handling of meat is done, which employees who expectorate shall be required to use. Cuspidors shall be regularly and effectively cleaned daily. Butchers and other employees must not smoke while handling or dressing meats. Nor shall the manager or person in charge of such establishment allow or permit smoking in any room where meats are being handled.

(h) People suffering from any communicable disease shall not be employed in any slaughterhouse.

(i) All employees must at all times be clean in habits and attire.

(j) Live-stock pens shall be separated from all rooms where meats are handled or stored by a tight partition. Such pens shall have a tight floor well drained, and must be kept clean. No horse stable shall be maintained within 15 feet of any room used for handling or storing meats, and when such stable is maintained in the same building, the intervening partitions shall be of tight, sound construction.

(k) Proper toilet facilities for employees, including washstands with hot water, clean towels, toilet paper, sanitary closets, and other necessary sanitary equipment must be provided.

(l) All blood, offal, manure, and such matter must be disposed of in suitable manner according to the direction of the chief inspector. Tanks for blood and offal must be made of nonabsorbent material and shall be kept covered with a tight-fitting cover.

(m) Meats must not be laid on floors.

(n) The aprons, smocks, or other clothing of employees who handle meat in contact with such clothing, shall be of a material that is readily cleansed and made sanitary, and shall be cleansed daily, if used. Employees who handle meat or meat-food products shall be required to keep their hands clean. Aprons must be removed before entering toilet and hands washed after leaving toilet before resuming work.

(o) Butchers who dress diseased carcasses shall cleanse their hands of all grease and then immerse them in a prescribed disinfectant and rinse them in clear water before engaging again in dressing or handling healthy carcasses. All implements used in dressing diseased carcasses shall be cleansed of all grease and then sterilized by immersion in boiling water for at least five minutes and rinsed in water or by immersion in a disinfectant prescribed by the department of health and rinsed in clear water before being again used in dressing healthy carcasses. Facilities for such cleansing and disinfection, approved by the department of health in charge shall be provided by the establishment. Separate trucks, boxes and other containers shall be furnished for handling diseased carcasses and parts; following the slaughter of an animal infected with an infectious disease, a stop shall be made until the implements used in such

slaughter have been cleansed and disinfected unless duplicate implements are provided.

(p) Due care must be taken to prevent meat and meat-food products from falling or being placed on the floor; and in the event of their having been so placed or fallen, they may be condemned.

(q) Carcasses or parts of carcasses shall not be inflated with air from the mouth, and no inflation of carcasses except by mechanical means shall be allowed. Carcasses shall not be dressed with skewers, knives, or other implements, or tools that have been held in the mouth. All skewers shall be cleansed before being used. Spitting on whetstones or steels when sharpening knives shall not be allowed.

(r) In each establishment a cooler or room, separate from the killing room, must be provided for the storage of all dressed meat. Said room must be painted some light color or limewashed thoroughly clean, well ventilated, and kept free from flies.

(s) Dogs must not be allowed to enter any room or place where meats are slaughtered, handled, stored, or sold.

SEC. 805.95. (a) At any establishment at which inspection is maintained an ante-mortem examination shall be made of all cattle, sheep, calves, swine, horses, and goats about to be slaughtered before they shall be allowed to enter such establishment. Said examination and inspection shall be made in the pens, alleys, or chutes of the establishment at which the animals are about to be slaughtered. The proprietors of the establishments at which the said ante-mortem inspection is conducted shall provide facilities satisfactory to the department of health for conducting said inspection and for separating and holding apart from healthy animals those showing symptoms of disease.

(b) All animals showing symptoms of being affected with any disease or condition which, under these regulations, would probably cause their condemnation when slaughtered, shall be marked by affixing to the ear or tail a metal tag bearing the word "Rejected," or a suspect tag.

(c) All such rejected and suspected animals so tagged, except as hereinafter provided, shall be slaughtered separately, either before regular slaughter has commenced or at the close of the regular slaughter, and shall be duly identified by a representative of the establishment to the inspector on duty on the killing floor before the skins are removed or the carcasses opened for evisceration.

(d) Any animal which has been tagged for pregnancy and which has not been exposed to any infectious or contagious disease is not required to be slaughtered, but before any such animal is removed from the establishment the tag shall be detached by a department employee and returned with his report to the inspector in charge.

(e) If any pathological condition is suspected in which the question of temperature is important, such as Texas fever, anthrax, pneumonia, hog cholera, blackleg, or septicemia, the exact temperature should be taken. Due consideration, however, must be given to the fact that extremely high temperatures may be found in otherwise normal hogs when subjected to exercise, and a similar condition may obtain to a less degree among other classes of animals. Animals termed as "downers" or crippled animals shall be tagged in the abattoir pens for the purpose of identification at the time of slaughter, and shall be passed upon in accordance with these regulations.

SEC. 805.96. (a) A careful inspection shall be [made] of all animals at the time of slaughter. The head, tongue, thymus gland, and all viscera, and all parts and blood used in the preparation of meat food or medical products, shall be retained in such manner as to preserve their individual identity until after



post-mortem examination has been completed, in order that they may be identified in case of condemnation of the carcass. Suitable racks or metal receptacles shall be provided for retaining such parts.

(b) Carcasses and parts thereof found by the inspector to be sound, healthful, wholesome, and fit for human food shall be passed and marked as provided in these regulations.

(c) Should any lesion or disease or other condition be found, such lesion, disease, or condition shall be judged in accordance with the regulations relating to the inspection of meat as prescribed from time to time by the Department of Agriculture of the United States.

(d) Carcasses, parts of carcasses, or other meat food products held for final examination or disposal, shall be marked by placing on such carcass, part of carcass or other meat food product thereof, a tag bearing the words "Milwaukee Health Department, Retained," and no person other than an inspector or employee of the health department shall remove such tag.

(e) All condemned or retained carcasses and parts shall be disposed of only in the presence of an inspector of the health department and the report of the disposition shall be made by him upon the blank form provided therefor.

SEC. 805.97. (a) All tanks and equipment used for rendering and preparing edible products shall be in compartments separate from those used for rendering inedible products, and there shall be no connection by means of pipes, or otherwise, between the tanks or departments containing edible products and those containing inedible products.

(b) All condemned carcasses, parts of carcasses, and meat food products shall be tanked as follows:

(c) After the lower opening and draw-off valves of the tank have been securely sealed by an employee of the department of health with a seal furnished by said department and the condemned carcasses, parts, and meat food products are placed therein in his presence with a sufficient quantity of coloring matter or other substance to be designated by the department of health which shall be used in connection with the rendering of all condemned carcasses, parts of carcasses, meat or meat food products to destroy them effectually for food purposes.

(d) The upper opening shall be likewise sealed by such employee, whose duty it shall be then to see that a sufficient force of steam (not less than 40 pounds pressure, producing a temperature of 288° F.) is turned into the tanks and maintained a sufficient time (not less than six hours) effectually to render the contents unfit for any edible product. Wire and lead seals are provided by the department for sealing tanks. Proprietors of establishments are required to equip all tanks used for condemned products so that they may be securely sealed in the manner above specified.

(e) The seals of tanks containing condemned meat or the tankage thereof shall be broken only by an employee of the department, and such employee shall supervise the drawing off of the contents of such tanks and the marking of the tallow and grease as inedible.

(f) If the establishment fails to permit the treatment and tanking of condemned carcasses, parts of carcasses, meat, or meat food products as required by these regulations, the inspector in charge shall report that fact to the department of health and inspection shall be withdrawn from such establishment.

(g) Any meat or meat food products condemned at establishments which have no facilities for tanking shall be freely slashed with a knife and then denatured with crude carbollic acid or other agent prescribed by the department of health and then removed from the establishment properly tagged to a rendering plant.



SEC. 805.98. It shall be the duty of the employee of the department of health, and he is hereby so empowered, to enter any place where the meat or flesh of any animal mentioned in this regulation, or the products thereof, may be stored, held, kept, exposed, or offered for sale, and every establishment where meat is manufactured into articles of food, or preserved, cured, canned, or otherwise prepared for food, and shall inspect the same, and whenever such meat or flesh shall, upon inspection and examination, be found not to be marked, stamped, or branded, showing that the same has been inspected and passed for food purposes by the United States or by the city of Milwaukee, as in this regulation provided, the said inspector shall condemn the same and dispose of it according to the provisions of this regulation.

SEC. 805.99. Any complaint made against the decision or any condemnation by an employee of the department of health must be filed with the chief inspector, whose decision shall be final in all cases.

SEC. 805.991. It shall be unlawful for any person or persons to resist, obstruct, abuse, or interfere with any inspector, employee of the department of health, or while such inspector is engaged in his duties.

SEC. 805.992. It shall be unlawful for any person, firm, or corporation, except the meat inspectors herein provided for, to have in possession, keep, or use any mark, stamp, or brand, provided or used for marking, stamping, or branding any article herein required to be marked, stamped, or branded. It shall be unlawful for any person, firm, or corporation to have in possession, keep, make, or use any mark, stamp, or brand having thereon a device or words similar in character or import to the marks, stamps, or brands provided or used for marking, stamping, or branding such articles.

SEC. 805.993. Any person violating the provisions of sections 805.1 to 805.992, inclusive, shall upon conviction be fined not less than \$10 nor more than \$100 or imprisonment of not more than 30 days, or both, for each and every offense.

#### NEW YORK, N. Y.

##### **Meat—Bringing of Carcasses into City. (Res. Bd. of H., June 28, 1917.)**

*Resolved*, That article 9 of the sanitary code be, and the same is hereby, amended by adding thereto a new section, to be known as section 172, to read as follows:

SEC. 172. *Bringing into the city of New York of the carcasses of certain animals restricted.*—No carcasses, or parts of the carcasses, of cows, bulls, steers, or swine shall be brought into the city of New York until they shall, respectively, have been inspected and passed as fit for human food by a duly authorized inspection of the United States Government, or of any State or municipality, and shall have been marked, stamped, branded, tagged, or labeled as having been so inspected and passed: *Provided, however*, The provisions of this section shall not apply to the carcasses of cows, bulls, steers, or swine to which are attached, by their natural connections, the head, including the tongue, the lungs, the liver, the heart, the pleura, the peritoneum, and all body lymph glands.

##### **Poultry Slaughterhouses—Approval of Site and Plans and Specifications—Permits. (Reg. Bd. of H., July 23, 1918.)**

REGULATION 1. *Approval of site; plans and specifications; permits.*—No permit to conduct a poultry slaughterhouse will be issued by the board of health unless the site and the plans and specifications of the proposed slaughterhouse

shall have been first approved by said board, in the order and subject to the conditions herein specified.

(a) *Approval of site.*—An application for the approval of site upon which it is proposed to erect and conduct a poultry slaughterhouse shall be made by the owner or owners thereof upon official blank forms furnished for such purpose by the bureau of food and drugs, accompanied by evidence or ownership, or right of possession, in the form of a deed or bill of sale. The applicant shall also submit a map or sketch upon which shall appear the location and character of each building within a radius of 100 feet of the proposed site. Upon receipt of such application the director of the bureau of food and drugs shall verify the evidence of ownership, right of possession, maps, sketches, and other data submitted, and make and forward an appropriate recommendation to the board of health in conformity with the provisions of subdivision (b) of this regulation.

(b) The following rules shall govern the action of said board in acting upon said applications: (1) If the proposed site is located within a residence district or a business district, as established by the Use District Map and the Use District Designations and the Map Designation Rules which accompany said Use District Map, adopted by the board of estimate and apportionment of the city of New York on July 25, 1916, under and by virtue of the provisions of the building zone resolution, such application will be denied by the board of health.

(2) If a church, school, library, hospital, sanitarium, or other public or private institution is located within a radius of 100 feet of the proposed site, such application will be denied by the board of health. (3) If a private dwelling, tenement house, or apartment house is located within 25 feet of the boundary line of the lot, piece, or parcel of land upon which it is proposed to conduct a poultry slaughterhouse, the board of health will not grant any such application unless the owner or owners thereof shall have been given a reasonable opportunity to appear and be heard in opposition to the granting of such application by said board.

(c) *Plans and specifications.*—If the board of health approves a site for a poultry slaughterhouse, an application for the approval of the plans and specifications of the proposed poultry slaughterhouse shall be made by the owner or owners thereof, upon official forms furnished for such purpose by the bureau of food and drugs. A copy of such plans and specifications shall accompany such application and shall be examined and approved or disapproved by the director of the bureau of food and drugs, and thereafter submitted to the board of health for its consideration and action.

(d) *Permits.*—Applications for permits to conduct poultry slaughterhouses shall be made upon official forms furnished for such purpose by the bureau of food and drugs, and shall be accompanied by documentary proof establishing the right of the applicant to possession in the form of a deed or lease. Every such application shall be investigated by the bureau of food and drugs and forwarded to the board of health, with appropriate recommendations by the director of said bureau, for its consideration and action. No application for a permit will be granted, nor a permit issued, unless the site and plans and specifications of the poultry slaughterhouse have first been approved by the said board in accordance with the provisions of this regulation.

*Provided, however,* The provisions of subdivisions (a), (b), and (c) of this regulation shall not apply to applications filed with or acted upon by the board of health prior to July 23, 1913.

## OMAHA, NEBR.

**Meat—Inspection and Sale—Sanitary Regulation of Slaughtering, Slaughterhouses, and Meat-Products Establishments. (Ord. 10351, July 29, 1919.)****ARTICLE 1. DEFINITIONS AND INTERPRETATIONS OF TERMS.**

**SECTION 1.** For the purpose of this ordinance the following words and terms shall be construed as follows:

(a) "*Carcasses.*"—All parts including the viscera of slaughtered cattle, sheep, swine, goats, and poultry that are capable of being used for human food.

(b) "*Primal parts.*"—The usual portions into which carcasses are customarily divided, as, for example, hams, rounds, etc.

(c) "*Establishment.*"—Any abattoir, packing house, or other premises where animals are slaughtered for human food, or in which meats and products thereof are prepared for food.

(d) "*Market.*"—Any retail or wholesale shop or other place where carcasses and portions of carcasses are handled and sold for food.

(e) "*Omaha inspected.*"—The brand applied to meats inspected and passed under this ordinance, indicating that the meat to which applied was at the time of branding sound, healthful, wholesome, and fit for human food.

(f) "*Retained.*"—The article so tagged or marked is held for further examination to determine final disposition.

(g) "*Sterilization.*"—Carcasses and parts of carcasses so marked have been inspected and passed on condition that they may be rendered into lard or tallow or otherwise sterilized according to the provisions of this ordinance.

(h) "*Condemned.*"—Carcasses and parts so marked are unfit for food purposes and must be destroyed.

(i) "*Omaha held.*"—A metal tag bearing these words, when attached to the ear of an animal, indicates that on antemortem inspection the animal shows evidence of disease and is to be slaughtered separate from other animals.

(j) "*Country veal.*"—Calf carcasses dressed in the country or other places too remote to permit of antemortem inspection by Omaha inspectors.

**ART. 2. SCOPE OF INSPECTION.**

**SECTION 1.** (a) All establishments slaughtering animals and preparing meats for human consumption within the city of Omaha shall have inspection under this ordinance.

(b) Every market or individual dealer handling "country veal" shall have inspection as hereinafter indicated.

(c) Every meat market wholesaling or retailing meats shall also be subjected to inspection.

**SEC. 2.** All cattle, sheep, swine, goats, and poultry, and all meats and meat products entering an establishment at which inspection is required by this ordinance, and all meats prepared in whole or in part therein, shall be inspected, handled, prepared, and marked as required by this ordinance.

**SEC. 3.** No person, firm, or corporation shall sell, offer for sale, or keep for sale meats to be used for human consumption within the city of Omaha unless the same has been inspected and approved by inspectors appointed for that purpose by the Government of the United States, the State of Nebraska, or the city of Omaha.

**ART. 3. ORGANIZATION OF FORCE.**

**SECTION 1. Inspector in charge.**—A veterinarian assigned to supervise the work of meat inspection.

**SEC. 2. Assistant inspectors.**—Persons employed to assist the inspector in charge by making regular routine inspections under his supervision and instructions.

**SEC. 3. City meat inspector.**—A specially qualified inspector, who visits the meat markets and wholesale houses where meats, fowl, and game are handled and where meat-food products are prepared. His duty is to make inspections and look after sanitation.

**ART. 4. LICENSING OF ESTABLISHMENTS, INAUGURATION AND WITHDRAWAL OF INSPECTION.**

**SECTION 1. (a)** To each slaughtering establishment granted inspection an official number must be assigned.

**(b)** The proprietor of each establishment requiring inspection under this ordinance shall make application to the city commission for a license to operate before inspection will be inaugurated. Failure to abide by the requirements of this ordinance will be considered sufficient cause for revocation of said license.

**(c)** Hereafter, before a meat market may be permitted to sell meats in the city of Omaha, the proprietor or operator shall make application for license to operate such market. It shall be unlawful to operate a meat market without the required license, and failure to abide by the requirements of this ordinance will be considered sufficient reason for revoking the license.

**(d)** The inspector in charge is empowered to suspend inspection because of violation of this ordinance, but the revocation of a license must be ordered by the council.

**ART. 5. ASSIGNMENT OF INSPECTORS AND FACILITIES FOR INSPECTION.**

**SECTION 1.** The council shall assign an inspector in charge and such assistant inspectors as may be considered necessary to properly conduct a thorough meat inspection.

**SEC. 2. (a)** Each establishment shall inform the inspector in charge or his assistants when slaughtering has been completed for the day, and of the day and hour when work will be resumed, and no operation shall be performed under any circumstances without the knowledge of the inspector in charge or his assistant assigned to the establishment.

**(b)** Every reasonable arrangement shall be made regarding hours of work. The hours of slaughtering shall be not earlier than 8 o'clock a. m. and continue not later than 5.30 p. m.: *Provided, however,* That if slaughtering is to start at an earlier hour on a given day the packers shall notify the inspector of such fact before the close of the preceding day.

[No section 3.]

**SEC. 4.** No inspector will be furnished and no operations permitted on legal holidays, such as Decoration Day, Fourth of July, Labor Day, Thanksgiving, Christmas, and New Years, as well as Sundays.

**SEC. 5.** When one inspector is detailed to conduct the work at two or more establishments where a few animals are slaughtered or where a small quantity of meat or products is prepared, the inspector in charge may designate the hours during which the establishment may be operated, unless by mutual agreement the management provides suitable equipment provided to properly maintain the identity of all viscera and carcasses during the absence of the inspector at another establishment.

**SEC. 6.** When required by the inspector in charge, the following facilities, and such others as may be essential to efficient conduct of inspection, shall be provided by each establishment:



(a) Satisfactory pens, equipment, and assistants for conducting ante-mortem inspection and for separating, marking, and holding apart from passed animals those marked "Omaha Held."

(b) Sufficient natural light and abundant artificial light at times of the day when natural light may not be adequate at places of inspection. Such places shall be kept sufficiently free from steam and vapors for inspection to be properly made.

(c) Racks, receptacles, and other suitable devices for retaining such parts as the head, tongue, tail, thymus gland and viscera, and all parts and blood to be used in the preparation of meat food products or medical products until after the post-mortem examination is completed, in order that they may be identified in case of condemnation of the carcass; equipment, trucks, and receptacles for handling viscera of slaughtered animals so as to prevent their becoming contaminated, or other necessary equipment for separate and sanitary handling of carcasses and parts.

(d) Tables, benches, and other equipment on which inspection is to be performed of such design, material, and construction as to enable an inspector to conduct their inspection in a ready, efficient, and cleanly manner.

(e) Sanitary water-tight metal trucks or receptacles for holding and handling diseased carcasses and parts.

(f) Adequate arrangements for cleansing and disinfecting the hands, for sterilizing all implements used in dressing diseased carcasses, and for disinfecting hides, floors, and such other articles as may be contaminated by diseased carcasses.

(g) Adequate facilities including denaturing materials for the proper disposal of condemned articles in accordance with this ordinance.

(h) A suitable locker to meet the approval of the inspector in charge shall be provided for the use of the inspector. All such lockers to be equipped for locking with locks supplied by this department, the keys of which shall not leave the custody of the inspector.

(i) The walls and ceilings of all edible departments shall be frequently painted with a good grade of oil or waterproof paint.

#### ART. 6. SANITATION.

SECTION 1. (1) Establishments at which market inspection is conducted, as well as all other establishments in which meats are handled or sold for food purposes, shall be maintained in a sanitary condition, and to this end the requirements of paragraphs 2 to 7, inclusive, of this section shall be complied with.

(2) There shall be abundant light, both natural and artificial, and sufficient ventilation for all rooms and compartments to insure sanitary condition.

(3) There shall be an efficient drainage and plumbing system for the establishment and premises, and all drains and gutters shall be properly installed with approved traps and vents.

(4) The water supply shall be ample, clean, and potable, with adequate facilities for distribution in the plant.

(5) The floors, walls, ceilings, partitions, posts, doors, and other parts of all structures shall be of such materials, construction, and finish as will make them susceptible of being readily and thoroughly cleansed. The floors shall be kept water-tight. The rooms and compartments used for edible products shall be separate and distinct from those used for inedible products.

(6) The rooms and compartments in which meat or product is prepared or handled shall be free from odors from dressing rooms, toilet rooms, catch basins, hide cellars, casing rooms, inedible tank rooms, and stables.



(7) Every practicable precaution shall be taken to keep the establishment free from flies, rats, mice, and other vermin.

SEC. 2. Adequate sanitary facilities and accommodations shall be furnished by every establishment. Of these the following are specifically required:

(a) Dressing rooms, toilet rooms, and urinals sufficient in number, ample in size, conveniently located, properly ventilated, and meeting all requirements as to sanitary construction and equipment. These shall be separate from the rooms and compartments in which meat and products are prepared, sold, or handled.

(b) Modern lavatory accommodations, including running hot and cold water, soap, and towels. These shall be placed in and near toilet and urinal rooms, and also in such other places in the establishment as may be essential to assure cleanliness of all persons handling any meats or products.

(c) Properly located facilities for disinfecting and cleansing utensils and hands of all persons handling any meat or product.

(d) Cuspidors of such shape as not readily to be upset and such material as to be readily disinfected. They shall be sufficient in number and accessibly placed near rooms and places designated by the inspector in charge; all persons who expectorate shall be required to use them.

SEC. 3. Equipment and utensils used for preparing, dressing, and otherwise handling any meat or product shall be of such materials and construction as will make them susceptible of being readily and thoroughly cleaned, and such as will insure strict cleanliness in the preparation and handling of meats.

SEC. 4. All rooms and compartments in which meats are prepared, sold, or otherwise handled shall be kept clean and sanitary.

SEC. 5. Aprons, frocks, and other outer clothing worn by persons who handle any meat or product shall be of material that is readily cleansed, and only clean garments shall be worn. Knife scabbards shall be kept clean.

Such practices as spitting on whetstones, placing of skewers or knives in the mouth, or testing with air blown from the mouth are prohibited.

SEC. 6. The wagons or cars in which any meat and product is transported to, from, or within the city shall be kept in a clean and sanitary condition. Wagons used in transporting loose meats and products shall be closed or so covered that the contents will be kept clean.

SEC. 7. The outer premises of every establishment embracing any areas where cars and wagons are loaded and the driveways, approaches, yards, pens, and alleys shall be properly drained and kept in a clean and orderly condition. All pens and stockyards shall be paved and drained to the sewer and shall be frequently flushed and cleaned.

SEC. 8. No establishment shall employ in any department where any meat or product is handled or prepared any person affected with tuberculosis or other communicable disease.

SEC. 9. Meats and pastry [sic] must at all times be securely protected from dust, flies, dirt, and all other injurious contamination. Screening or covering with netting is not sufficient. Tight cases with only necessary ventilation are provided by all modern sanitary stores. The indiscriminate piling of meat on counters or show cases is a most reprehensible practice and not in any possible sense proper protection. Dressed carcasses, cuts, hamburger, sausage, poultry, game, and fish should be kept under refrigeration or in artificially cooled display cases.

ART. 7. ANTE-MORTEM AND POST-MORTEM INSPECTION AND THE DISPOSAL OF DISEASED CARCASSES.

SECTION 1. Except as provided in article 8 of this ordinance, animals intended for human food in the city of Omaha shall be required to undergo an ante-mortem examination before being allowed to pass to the slaughter room and a post-mortem examination on the floor of the slaughter room, said examinations to be made and conducted by the inspector in charge or his assistant or by an inspector of the United States Department of Agriculture, and it is hereby declared unlawful for any person, firm, or corporation in the city of Omaha to keep for sale or to offer or expose for sale or to sell within the corporate limits of said city the carcasses or part of the carcass of any animal intended for human food without the same having first undergone such ante-mortem and post-mortem examinations.

SEC. 2. (a) Any animals suspected of being affected with any diseases which might cause condemnation of carcass in whole or in part shall be tagged with a metal tag bearing the words "Omaha Held," and the inspector shall make a record for identification and require that the animal shall be held separate and slaughtered separate from other animals.

(b) When considered necessary by the inspector, he shall take the temperature of animals, and if they show a temperature of 106° F. or above he shall require that they be held until their temperature becomes normal, or if slaughtered while registering this temperature they shall be condemned.

(c) Any animal entering the yards or pens of an establishment shall not be removed unless permission is granted by the inspector in charge.

SEC. 3. A careful post-mortem examination and inspection shall be made of a carcass and parts thereof of all cattle, sheep, swine, and goats slaughtered at establishments.

SEC. 4. The head, tongue, tail, thymus gland, and all the viscera and parts and blood to be used in the preparation of meat food products shall be held in a manner prescribed by the inspector in charge so as to preserve the identity until post-mortem examination has been completed, in order that they may be identified in case of condemnation of the carcass.

SEC. 5. Each carcass, including all parts and detached organs thereof in which any lesion of disease or other condition is found that might render the meat or any organ unfit for food purposes, and which for that reason would require a subsequent inspection, shall be retained by the inspector at the time of inspection and held for final disposition. The identity of every such retained carcass, part, and detached organ thereof shall be maintained until the final inspection has been completed. Retained carcasses shall not be either washed or trimmed unless authorized by the inspector.

SEC. 6. Such devices and methods as may be approved by the inspector in charge may be used for the temporary identification of retained carcasses, parts, or organs. In all cases the identification shall be further established by affixing "Retained" tags as soon as practicable and before final inspection. These tags shall not be removed except by inspectors.

SEC. 7. Each carcass or part which is found on final inspection to be unsound, unhealthful, unwholesome, or otherwise unfit for human food shall be conspicuously marked on surface tissues thereof by the inspector at the time of inspection with the word "Condemned." Condemned detached organs and parts of such character that they can not be so marked shall be immediately placed in receptacles which shall be kept sealed or locked. All condemned carcasses, parts, and organs shall remain in the custody of the inspector and shall be

tanked as required in these regulations. Condemned articles shall not be allowed to accumulate unnecessarily.

SEC. 8. (1) Carcasses and parts passed for sterilization shall be conspicuously marked on the surface tissues thereof by the inspector with the words "Sterilization." All such carcasses and parts shall be heated until every part is brought up to a temperature of 170° F. and held at that temperature or higher for at least 30 minutes. Cooking vats used for this purpose shall be equipped for locking or sealing, and a satisfactory thermometer shall be provided by the establishment.

(2) In all cases where carcasses showing localized lesions of disease are passed for food or for sterilization, the diseased part shall be removed before the retained tag is taken from the carcass, and such parts shall be condemned.

SEC. 9. Carcasses and parts found to be sound, healthful, wholesome, and fit for human food shall be marked as provided in these regulations.

SEC. 10. (1) When a carcass is to be dressed with the skin or hide left on, the skin or hide left on, the skin or hide shall be thoroughly washed and cleaned before evisceration.

(2) All hair, scurf, and dirt shall be removed from hog carcasses and the carcasses thoroughly washed and cleaned before incision is made for inspection or evisceration.

SEC. 11. When only a portion of a carcass is to be condemned on account of slight bruises either the bruised portion shall be immediately removed and condemned, or the carcass shall be held by retaining tag until chilled and the bruised portion removed and tanked.

#### ART. 7A. DISPOSAL OF DISEASED CARCASSES AND PARTS.

SECTION 1. The carcasses or parts of carcasses of all animals slaughtered at an official establishment and found at the time of slaughter or at any subsequent inspection to be affected with any of the diseases or conditions named in other sections of this article shall be disposed of according to the section of this regulation pertaining to the disease or condition. Owing to the fact that it is impracticable to formulate rules covering every case and to designate at just what stage a process becomes loathsome or a disease noxious, the decision as to the disposal of all carcasses, parts, or organs not specifically covered by these regulations shall be left to the inspector in charge.

*Anthrax.*—All parts, including hides, hoofs, horns, viscera, intestinal contents, fat, and blood, of animals the carcasses of which show lesions of anthrax, regardless of the extent of the disease, shall be condemned and immediately incinerated or otherwise completely destroyed. The killing bed upon which the animal was slaughtered shall be disinfected with a 1 to 1,000 solution of bichlorid of mercury, and all knives, saws, cleavers, and other instruments which have come in contact with the carcass shall be cleansed of all grease and thoroughly sterilized by boiling before being used upon another carcass.

[No section 2.]

SEC. 3. *Tuberculosis.*—(1) The following principles are declared for guidance in passing on carcasses affected with tuberculosis:

"*Principle A.*"—No meat should be used for food if it contains tubercle bacilli, or if there is a reasonable possibility that it may contain tubercle bacilli, or if it is impregnated with toxic substance of tuberculosis or associated septic infections.

"*Principle B.*"—Meat should not be destroyed if the lesions are localized and not numerous, if there is no evidence of distribution of tubercle bacilli through

the blood or by other means to the muscles or to parts that may be eaten with the muscles, and if the animal is well nourished and in good condition, since in this case there is no proof or even reason to suspect that the flesh is unwholesome.

**"Principle C."**—Evidences of generalized tuberculosis are to be sought in such distribution and number of tuberculous lesions as can be explained only upon the supposition of the entrance of tubercle bacilli in considerable number into the systemic circulation. Significant of such generalization is the presence of numerous uniformly distributed tubercles through both lungs, also tubercles in the spleen, kidneys, bones, joints, and sexual glands and in the lymph glands connected with these organs and parts, or in the splenic, renal, prescapular, popliteal, and inguinal glands, when several of these organs and parts are coincidentally affected.

**"Principle D."**—Localized tuberculosis is tuberculosis limited to a single or several parts or organs of the body without evidence of recent invasion of numerous bacilli into the systemic circulation.

(2) The meat of animals affected with tuberculosis shall be disposed of as follows:

**"Rule A."**—The entire carcass shall be condemned if any of the following conditions occur:

(a) When it was observed before the animal was killed that it was suffering with fever.

(b) When there is a tuberculosis or other cachexia, as shown by anemia and emaciation.

(c) When the lesions of tuberculosis are generalized, as shown by their presence not only at the usual seats of primary infection but also in parts of the carcass or in the organs that may be reached by the bacilli of tuberculosis only when they are carried in the systemic circulation. Tuberculous lesions in any two of the following-mentioned organs are to be accepted as evidence of generalization when they occur in addition to local tuberculous lesions in the digestive or respiratory tracts, including the lymph glands connected therewith; spleen, kidney, uterus, udder, ovary, testicle, adrenal gland, and brain or spinal cord or their membranes. Numerous tubercles uniformly distributed throughout both lungs also afford evidence of generalization.

(d) When the lesions of tuberculosis are found in the muscles or intermuscular tissues or bones or joints or in the body lymph glands as a result of draining the muscles, bones, or joints.

(e) When the lesions are extensive in one or both body cavities.

(f) When the lesions are multiple, acute, and actively progressive. Evidence of active progress consists in signs of acute inflammation about the lesions, or liquefaction necrosis, or the presence of young tubercles.

**"Rule B."**—An organ or a part of a carcass shall be condemned under any of the following conditions:

(a) When it contains lesions of tuberculosis.

(b) When the lesion is localized but immediately adjacent to the flesh, as in the case of tuberculosis of the parietal pleura or peritoneum. In this case not only the membrane or part affected but also the adjacent thoracic or abdominal wall is to be condemned.

(c) When it has been contaminated by tuberculous material through contact with the floor or a soiled knife or otherwise.

(d) Heads showing lesions of tuberculosis shall be condemned, except that when the heads of hogs are from carcasses passed for food or for sterilization and the lesions are slight, are calcified or encapsulated, and are confined to lymph glands in which not more than two glands are involved, the head may be



passed for sterilization after the diseased tissues have been removed and condemned:

(3) An organ shall be condemned when the corresponding lymph gland is tuberculous.

**"Rule C."**—Carcasses showing lesions of tuberculosis should be passed for food when the lesions are slight, localized, and calcified or encapsulated, or are limited to a single or several parts or organs of the body (except as noted in Rule A) and there is no evidence of recent invasion of tubercle bacilli into the systemic circulation. Under this rule carcasses showing such lesions as the following may be passed after the parts containing the lesions are removed and condemned in accordance with Rule B.

(a) In the cervical lymph glands and two groups of visceral lymph glands in a single body cavity, such as the cervical, bronchial, and mediastinal glands or the cervical, hepatic, and mesenteric glands.

(b) In the cervical lymph glands and one group of visceral lymph glands and one organ in a single body cavity, such as the cervical and bronchial glands and the lungs or the cervical and hepatic glands and the liver.

(c) In two groups of visceral lymph glands and one organ in a single body cavity, such as the bronchial and mediastinal glands and the lungs or the hepatic and mesenteric glands and the liver.

(d) In two groups of visceral lymph glands in the thoracic cavity and one group in the abdominal cavity or in one group of visceral lymph glands in the thoracic cavity and two groups in the abdominal cavity, such as the bronchial, mediastinal, and hepatic glands or the bronchial, hepatic, and mesenteric glands.

(e) In the cervical lymph glands and one group of visceral lymph glands in each body cavity, such as the cervical, bronchial, and hepatic glands.

(f) In the cervical lymph glands and one group of visceral lymph glands in each body cavity, together with the liver when the latter contains but few localized foci. In this class of carcasses, which will be chiefly those of hogs, the lesions of the liver are considered to be primary, as the disease is practically always of alimentary origin.

**"Rule D."**—Carcasses which reveal lesions more severe or more numerous than those described for carcasses to be passed "Rule C," but not so severe nor so numerous as the lesions described for carcasses to be condemned (Rule A), may be rendered into lard or tallow or otherwise sterilized in accordance with article 7, section 8, paragraph 1, if the distribution of the lesions is such that all parts containing tuberculous lesions can be removed.

**Sec. 4. Hog cholera.**—(1) The carcasses of all hogs marked as suspects on ante-mortem inspection shall be given careful post-mortem inspection, and if it appears that they are affected with either acute hog cholera or swine plague they shall be condemned.

(2) Carcasses of hogs which show acute and characteristic lesions of either hog cholera or swine plague in any organ or tissue other than the kidneys or lymph glands shall be condemned. Inasmuch as lesions resembling lesions of hog cholera or swine plague occur in the kidneys and lymph glands of hogs not affected with either hog cholera or swine plague, carcasses of hogs in the kidneys or lymph glands of which appear any lesions resembling lesions of either hog cholera or swine plague shall be carefully further inspected for corroborative lesions. On such further inspection—

(a) If the carcass shows such lesions in the kidneys or in the lymph glands, or in both, accompanied by characteristic lesions in some other organ or tissue, then all lesions shall be regarded as those of hog cholera or swine plague and the carcass shall be condemned.



(b) If the carcass shows in any organ or tissue other than the kidneys or lymph glands lesions of either hog cholera or swine plague which are slight and limited in extent, it shall be passed for sterilization in accordance with article 7, section 8, paragraph 1.

(c) If the carcass shows no indication of either hog cholera or plague in any organ or tissue other than the kidneys or lymph glands, it shall be passed for food, unless some other provisions of these regulations require a different disposal.

**SEC. 5. Actinomycosis.**—(1) Carcasses of animals showing generalized actinomycosis shall be condemned.

(2) Carcasses of animals in a well-nourished condition showing uncomplicated localized actinomycotic lesions may be passed after the infected organs or parts have been removed and condemned, except as provided in paragraph 3 of this section.

(3) Heads affected with actinomycosis (lump jaw), including the tongue, shall be condemned, except that when the disease of the jaw is slight, strictly localized, and without suppuration, fistulous tracts, or lymph gland involvement, the tongue, if free from disease, may be passed.

**SEC. 6.** Carcasses of animals affected with, or showing lesions of, any of the following-named diseases or conditions shall be condemned:

- (a) Blackleg.
- (b) Hemorrhagic septicemia.
- (c) Pyemia.
- (d) Septicemia.
- (e) Texas fever.
- (f) Malignant epizootic catarrh.
- (g) Unhealed vaccine lesions.
- (h) Parasitic ictero-hematuria in sheep.

**SEC. 7.** Any individual organ or part of a carcass affected with carcinoma or sarcoma shall be condemned. In case the carcinoma or sarcoma involves any internal organ to a marked extent, or affects the muscles, skeleton, or body lymph glands, even primarily, the carcass shall be condemned. In case of metastasis to any other organ or part of a carcass, or if metastasis has not occurred but there are present secondary changes in the muscles (serious infiltration, flabbiness, or the like), the carcass shall be condemned.

**SEC. 8.** Carcasses of animals showing any disease such as generalized melanosis, pseudoleukemia, and the like, which affects the system of the animal, shall be condemned.

**SEC. 9.** All slight, well-limited abrasions on the tongue and inner surface of the lips and mouth, when without lymph-gland involvement, shall be carefully excised, leaving only sound, normal tissues, which may be passed. Any organ or part of a carcass which is badly bruised or which is affected by a tumor, an abscess, or a suppurating sore shall be condemned; and when the lesions are of such character or extent as to affect the whole carcass, the whole carcass shall be condemned. Parts of carcasses which are contaminated by pus shall be condemned.

**SEC. 10.** All carcasses of animals so infected that consumption of the meat or meat food products thereof may give rise to meat poisoning shall be condemned. This includes all carcasses showing signs of either—

- (a) Acute inflammation of the lungs, pleura, pericardium, peritoneum, or meninges.
- (b) Septicemia or pyemia, whether puerperal, traumatic, or without any evident cause.

- (c) Gangrenous or severe hemorrhagic enteritis or gastritis.
- (d) Acute diffuse metritis or mastitis.
- (e) Polyarthritis.
- (f) Phlebitis of the umbilical veins.
- (g) Traumatic pericarditis.
- (h) Any acute inflammation, abscess, or suppurating sore, if associated with acute nephritis, fatty and degenerated liver, swollen soft spleen, marked pulmonary hyperemia, general swelling of lymph glands, or diffuse redness of the skin, either singly or in combination.

Immediately after the slaughter of any animal so diseased the premises and the implements used shall be thoroughly disinfected as prescribed elsewhere in these regulations. That part of any carcass coming into contact with the carcass or any part of the carcass of any animal covered by this section, other than those affected with the disease mentioned in (a) above, or with the place where such diseased animal was slaughtered, or with the implements used in the slaughter thereof, before thorough disinfection of such place and implements has been accomplished, or with any other contaminated object, shall be condemned. In case the contaminated part is not removed from the carcass within two hours after such contact, the whole carcass shall be condemned.

SEC. 11. From the standpoint of meat inspection, necro-bacillosis (lip and leg ulceration) may be regarded as a local affection at the beginning, and carcasses in which the lesions are so localized may be passed for food if in a good state of nutrition, after removing and condemning those portions affected with necrotic lesions. On the other hand, when emaciation, cloudy swelling of the glandular organs, or enlargement and discoloration of the lymph glands are associated with the affection, it is evident that the disease has progressed beyond the condition of localization to a state of toxemia and the entire carcass should therefore be condemned as both innutritious and noxious. Septicemia or pyemia may intervene as a complication of the local necrosis, and when present the carcass should be condemned in accordance with section 6 (d, e) of this article.

SEC. 12. *Caseous lymphadenitis*.—When extensive lesions of caseous lymphadenitis, with or without pleuritic adhesions, are found in the lungs, or if several of the visceral organs contain caseous nodules and the carcass is emaciated, the carcass shall be condemned. When the lesions of caseous lymphadenitis are limited to the superficial glands or to a few modules in an organ, involving also the adjacent lymph glands, and the carcass is well nourished, the meat may be passed after the affected parts are removed and condemned.

SEC. 13. *Icterus*.—Carcasses showing any degree of icterus with a parenchymatous degeneration of organs, the result of infection or intoxication, and those which show an intense yellow or greenish yellow discoloration without evidence of infection or intoxication, shall be condemned. Carcasses affected with icterus, the result of conditions other than those before stated in this paragraph, but which lose such discoloration on chilling, shall be passed for food, while those which do not lose such discoloration may be passed for sterilization. No carcass affected with icterus may be passed for food or for sterilization unless the final inspection thereof is completed under natural light.

SEC. 14. *Odors*.—Carcasses which give off the odor of urine or a sexual odor shall be condemned. When the final inspection of such carcasses is deferred until they have been chilled, the disposal shall be determined by the heating test.

SEC. 15. *Mange*.—(1) Carcasses of animals affected with mange or scab in advanced stages, or showing emaciation or extension of the inflammation

of the flesh, shall be condemned. When the disease is slight, the carcass may be passed.

(2) *Urticaria*.—Carcasses of hogs affected with urticaria (diamond skin disease) tinea tonsurans, demodex, folliculorum, or erythema may be passed after detaching the affected skin, if the carcass is otherwise fit for food.

SEC. 16. *Cysticerci*.—(1) Carcasses of cattle (including the viscera) infected with tapeworm, cysts known as *Cysticercus bovis* shall be condemned if the infestation is excessive or if the meat is watery or discolored. Carcasses shall be considered excessively infested if incisions in various parts musculature expose on most of the cut surface two or more cysts within an area the size of the palm of the hand.

(2) Carcasses of cattle showing slight infestation, that is, not to exceed 10 cysts, as determined by careful examination of the heart, muscles of mastication, tongue, diaphragm and its pillars, and the portions of the carcass rendered visible by the process of dressing, it may be passed for food after removal and condemnation of the cysts, with the surrounding tissues: *Provided*, The carcass and parts, appropriately identified by retained tags, are held in cold storage or pickle for not less than 21 days under conditions which will insure proper preservation: *And provided further*, That if the temperature at which such carcasses and parts are held in cold storage does not exceed 15° F., the period of retention may be reduced to six days. Carcasses which show no cysts except in the heart may be passed for food after retention in cold storage or pickle as above provided, irrespective of the number of cysts in the heart.

(3) Carcasses of cattle showing a moderate infestation, that is, a greater number of cysts than mentioned in the above paragraph, but which are not so extensively infested as indicated in paragraph 1, of this section, may be passed for sterilization. In case such carcasses are not sterilized as required by article 7, section 8, paragraph 1, they shall be condemned.

(4) Fats of carcasses passed for food or for sterilization under the provisions of paragraphs 2 and 3 may be passed for food provided they are melted at a temperature of not less than 140° F. The edible viscera, except the lungs and heart, of carcasses passed for food or for sterilization under the provisions of paragraphs 2 and 3 may be passed for food without refrigeration or other process of sterilization provided they are found to be free from infestation upon final inspection. The intestines, weasands, and bladders from beef carcasses affected with *Cysticercus bovis* which have been passed for food or for sterilization may be used for casings after they have been subjected to the usual methods of preparation and may be passed for such purpose upon completion of the final inspection.

(5) The inspection for *Cysticercus bovis* may be omitted in the case of calves under 6 weeks old. The routine inspection of calves over 6 weeks old for *Cysticercus bovis* may be limited to a careful examination of the surface of the heart and such surfaces of the body musculature as are rendered visible by the process of dressing.

SEC. 17. Carcasses of hogs affected with tapeworm cysts (*Cysticercus cellulosae*) may be passed for sterilization, but if the infestation is excessive the carcass shall be condemned.

SEC. 18. (1) In the disposal of carcasses, edible organs, and parts of carcasses showing evidence of infestation with parasites not transmissible to man, the following rules shall govern: If the lesions are localized in such a manner and are of such a character that the parasites and the lesions caused by them may be radically removed, the nonaffected portion of the carcass, organ, or part of the carcass may be passed for food after the removal and condemnation of the

affected portions. If an organ or a part of a carcass shows numerous lesions caused by parasites, or if the character of the infestation is such that complete extirpation of the parasites and lesions is difficult and uncertainly accomplished, or if the parasitic infestation or invasion renders the organ or part in any way unfit for food, the affected organ or part shall be condemned. If parasites are found to be distributed in a carcass in such a manner or to be of such a character that their removal and the removal of the lesions caused by them are impracticable, no part of the carcass shall be passed for food. If the infestation is excessive the carcass shall be condemned. If the infestation is moderate the carcass may be passed for sterilization, but in case such carcass is not sterilized as required by article 7, section 8, paragraph 1, it shall be condemned.

(2) In the case of sheep carcasses affected with tapeworm cysts located in the muscles (*Cysticercus ovis*, so-called sheep measles, not transmissible to man) the carcass may be passed after the removal and condemnation of the affected portions: *Provided, however*, That if upon the final inspection of sheep carcasses retained on account of measles the total number of cysts found embodied in muscle or in immediate relation with muscular tissues, including the heart, exceeds five, this shall be taken to indicate that the cysts are so generally distributed and so numerous that their removal would be impracticable, and the entire carcass shall be condemned or passed for sterilization, according to the degree of infestation. If not to exceed five cysts are found upon final inspection, the carcass may be passed after the removal and condemnation of the affected portions.

(3) Carcasses of animals found infected with gid bladder worms (*Coenurus cerebralis*, *Multiceps multiceps*) may be passed after condemnation of the affected organ (brain or spinal cord).

(4) Organs or parts of carcasses infested with hydatid cysts (*Ecchinococcus*) shall be condemned.

(5) Livers infested with flukes shall be condemned.

SEC. 19. *Emaciation*.—Carcasses of animals too emaciated or anemic to produce wholesome meat, and carcasses which show a slimy degeneration of the fat or a serious infiltration of the muscles, shall be condemned.

SEC. 20 Carcasses of animals in advanced stages of pregnancy (showing signs of parturition), also carcasses of animals which have within 10 days given birth to young and in which there is no evidence of septic infection, may be passed for sterilization; otherwise, they shall be condemned.

SEC. 21. (1) Carcasses of calves, pigs, kids, and lambs too immature to produce wholesome meat shall be condemned. Such carcasses shall be considered too immature to produce wholesome meat if (a) the meat has the appearance of being water soaked, is loose, flabby, tears easily, and can be perforated with the fingers; or (b) its color is grayish red; or (c) good muscular development as a whole is lacking, especially noticeable on the upper shank of the leg, where small amounts of serous infiltrates or small patches are sometimes present between the muscles; or (d) the tissues which later develop as the fat capsules of the kidneys are edematous, dirty, yellow or grayish red, tough, and intermixed with islands of fat.

(2) All unborn and stillborn animals shall be condemned.

(3) Meat and organs, such as lungs and livers, which have been condemned on account of parasitic infestation or invasion, and the flesh of immature and unborn animals and of animals which have been condemned on account of emaciation and recent parturition, may be utilized at official establishments in the manufacture of poultry food, provided that such organs or tissues are sterilized by thorough cooking, steam rendering, or desiccation under high tem-



perature. If so utilized, such organs and tissues shall be handled and prepared in rooms or places separate and apart from those in which edible products are handled, prepared, or stored.

SEC. 22. Hogs which have entered the scalding vat alive or which have been suffocated in any way shall be condemned.

SEC. 23. When it is necessary for humane reasons to slaughter an injured animal at night or on Sunday or a holiday when the inspector can not be obtained, the carcass and all parts shall be kept for inspection, with the head and all viscera except the stomach, bladder, and intestines held by the natural attachments. If all parts are not so kept for inspection, the carcass shall be condemned. If on inspection of a carcass slaughtered in the absence of an inspector any lesion or condition is found indicating that the animal was sick or diseased, the carcass shall be condemned.

#### ART. 8. CARCASSES OF ANIMALS SLAUGHTERED WITHOUT ANTE-MORTEM INSPECTION.

SECTION 1. No carcass shall be sold or offered for sale within the corporate limits of the city of Omaha unless same has undergone ante-mortem and post-mortem inspection either by Federal or city inspectors, except that the ante-mortem inspection may be dispensed with in case of "country veal" calves slaughtered for the convenience of transport to the city where the point of origin is too remote to permit of ante-mortem inspection by Omaha inspectors, but it shall be unlawful for any person, firm, or corporation to sell, offer for sale, or keep for sale a calf or veal that has not had a post-mortem inspection and stamped, branded, or tagged by an inspector of the United States Department of Agriculture or by an inspector authorized by the city of Omaha to make such inspections.

SEC. 2. No such post-mortem inspection shall be made and no carcass shall be passed by such inspector unless the carcass is presented for inspection with the head, heart, lung, liver, and kidneys held by their natural attachments.

SEC. 3. In no case shall a carcass be approved by the inspectors of the city of Omaha unless the same has been shipped in a cleanly manner and until the skin surface is thoroughly clean.

SEC. 4. Such post-mortem inspection and approval shall be refused unless said person, firm, or corporation is properly equipped with refrigeration and other facilities to properly care for meats.

SEC. 5. Any person, firm, or corporation having in his possession a so-called country veal, desiring to sell same under the above provisions, shall call upon a city meat inspector for inspection and shall give him a reasonable time to inspect same.

#### ART. 9. TANKS, TANKING, AND DENATURING.

SECTION 1. Tanks and tank rooms shall be kept clean and shall be equipped with up-to-date facilities for controlling odors.

SEC. 2. Condemned meat and products at establishments having facilities for tanking shall be disposed of by tanking as follows: The lower opening of the tank shall first be securely sealed by an inspector; then the condemned meat and products and a sufficient quantity of coloring matter or other substance to be designated by the inspector in charge shall be placed in the tank in his presence, after which the upper opening shall also be securely sealed by such inspector, who shall then see that a sufficient force of steam (not less than 40 pounds) is turned into the tank and maintained a sufficient time effectually to destroy the contents for food purposes.



SEC. 3. The seals of tanks shall be broken only by an inspector after the product has been rendered as provided in section 2. The drawing off of the contents of such tanks shall be supervised by an inspector. Samples shall be taken by inspectors as often as required to determine whether the fat or grease is effectively denatured.

SEC. 4. Rendered fats and greases condemned on reinspection shall be destroyed for food purposes by denaturing with coloring matter or other designated substance.

SEC. 5. Any meat or product condemned at an establishment which has no facilities for tanking shall, under the supervision of an inspector, be denatured with crude carbolic acid or other prescribed agent, or destroyed by incineration.

SEC. 6. Any meat or product condemned by establishments not having tanks shall be placed in a tight metal container equipped for secure sealing. Containers in which condemned products have been placed shall be sealed by the inspector and the container and contents conveyed to an establishment having tanking facilities, and the condemned products shall be tanked under the supervision of the city or a United States Government inspector, as prescribed in section 2 of this article.

SEC. 7. The slaughtering and dressing of all animals shall be completed and all offal, refuse, horns, etc., shall at the close of the day be placed in a preservative solution sufficient to prevent decomposition, or taken directly to the tank or to an approved inedible room or be placed in receptacles to be approved by the inspector in charge, and such offal, refuse, horns, etc., shall be removed daily, and the said receptacles and equipment for handling these products shall be cleansed and disinfected from time to time as the inspector may direct, and the floors, walls, racks, tools, and all equipment used in connection with the killing of such animals and the handling of meat in the slaughtering rooms shall be flushed, washed, and thoroughly cleansed to the satisfaction of the inspector.

#### ART. 10. MARKING, BRANDING, AND IDENTIFICATION OF MEATS.

SECTION 1. (1) Each carcass which has been inspected and passed in an establishment shall be marked or branded on each primal part or cut, at the time of inspection with an indelible ink brand applied to the surface tissues, bearing the words "Omaha Inspected," and in addition the number assigned to the establishment. Portions which can not be individually marked shall be placed in a satisfactory shipping container and the container appropriately marked.

(2) No person shall remove or cause to be removed from an establishment any meats which this ordinance requires to be branded unless the same are clearly and legibly branded.

SEC. 2. Shipping containers and cloth coverings of meats shall be marked to show the contents of the package.

#### ART. 11. REINSPECTION, PREPARATION OF MEATS, PRODUCTS, AND MARKET INSPECTION.

SECTION 1. Inspectors employed by the city of Omaha are authorized to reinspect meats wherever they are kept for sale within the city and though once having been passed as wholesome, sound, and fit for food they shall condemn same if found on subsequent inspection to have become unsound, unwholesome, or otherwise unfit for food.

SEC. 2. All meat and products, whether fresh or cured, even though previously inspected and passed, shall be reinspected by inspectors as often as may be

necessary, in order to ascertain whether the same are sound, healthful, wholesome, and fit for human food at the time the same leave establishments. If upon such reinspection any article is found to have become unsound, unhealthful, unwholesome, or in any way unfit for human food the brand, mark, stamp, or label thereon shall be removed or defaced and the article condemned.

SEC. 3. (1) All processes used in curing, pickling, rendering, canning, or otherwise preparing any meat or product in establishments shall be supervised by inspectors. No fixtures or appliances, such as tables, trucks, trays, tanks, vats, machines, implements, cans, or containers of any kind, shall be used unless they are of such materials and construction as will not contaminate the meat and products and are clean and sanitary. All steps in the processes of manufacture shall be conducted carefully and with strict cleanliness in rooms or compartments separate from those used for inedible products.

(2) All substances and ingredients used in the manufacture or preparation of any meat or product shall be clean, sound, healthful, wholesome, and otherwise fit for human food.

SEC. 4. (1) No meats or product shall contain any substance which impairs its wholesomeness, nor contain, except as permitted in paragraphs 2 and 3 of this section, any dye, preservative, or added chemical.

(2) There may be added to meat and products common salt, sugar, wood smoke, cider vinegar, wine vinegar, salt vinegar, sugar vinegar, glucose vinegar, spirit vinegar, pure spices, saltpeter, and nitrate of soda. Benzoate of soda may be added to meat and products only when declared on the label.

(3) Only harmless coloring matters may be used, and these only with the approval of and in such manner as may be designated by the health department. Dyes may be used in or upon the products only in the manner and under the conditions following:

(a) The dyes may be mixed with prepared fats, such as lard and lard compounds.

(b) The dyes may be used for coloring sausage casings or other casings, by dipping or application, provided the character of the casing is such that the dye does not penetrate into the meat-food product contained in the casing. If cloth casings are used, they shall be coated with uncolored paraffin before the application of the color.

(c) When artificial coloring matter is used the products shall be marked or labeled to indicate same.

(4) Sausage shall not contain cereal in excess of 2 per cent unless labeled to show the amount as approved by the inspector in charge.

(5) Water or ice shall not be added to sausage except for the purpose of facilitating grinding, chopping, and mixing, in which case the added water or ice shall not exceed 3 per cent, except that sausages of the class which are smoked or cooked, such as Frankfurt style, Vienna style, and Bologna style, may contain added water in excess of 3 per cent, but not in excess of an amount necessary to make the product palatable.

(6) No "compound," lard substitute, lard, or lard compound shall contain added water.

(7) The use of substances necessary for the proper preparation, clarification, or refining of meat and products may be permitted, provided they do not impair the quality of the meat or product and are eliminated during the further process of manufacture; as, for example, the use of bicarbonate of soda and fuller's earth in the preparation of fats and the use of sal soda or lime in the cleansing of tripe.

SEC. 5. Intestines shall not be used as ingredients of meat-food products.

SEC. 6. (1) Cattle paunches and hog stomachs for use in the preparation of meat-food products shall be thoroughly cleaned on all surfaces and parts immediately after being emptied of their contents.

(2) Tonsils shall be removed and shall not be used as ingredients of food products.

SEC. 7. No blood which comes in contact with the surface of the body of an animal or is otherwise contaminated shall be collected for food purposes. Only blood from animals the carcasses of which are inspected and passed may be used for meat-food products. The defibrination of blood intended for food purposes shall not be performed with the hands.

SEC. 8. Samples of meat and products, water, dyes, chemicals, preservations [preservatives?], spices, or other articles in any establishment shall be taken, without cost to the department, for examination as often as may be deemed necessary by the health department.

SEC. 9. Whenever the meat inspector or any authorized inspector of the health department of city of Omaha shall find in any butcher shop, wagon, or other place within the corporate limits of said city any meat offered, kept, or exposed for sale for human food which has not been examined or inspected and stamped or tagged as hereinbefore provided such inspector shall have the right and it shall become his duty to immediately confiscate, condemn, and destroy any such meat by him so found.

#### ART. 12. REPORTS.

SECTION 1. The inspector in charge shall make such reports and keep such records as shall be required by the health commissioner or superintendent of police.

SEC. 2. Assistant inspectors shall make daily reports of the amounts of articles handled or prepared in the subdivisions of the establishments to which they are assigned.

SEC. 3. Each establishment shall furnish to inspectors accurate information as to all matters needed by them for making their reports pursuant to sections 1 and 2 of this article.

SEC. 4. Reports on sanitation shall be made by the assistant inspectors assigned to the various establishments to the inspector in charge, and the inspector in charge to the health department.

#### ART. 13. APPEALS.

SECTION 1. When the action of the assistant inspector is questioned appeal may be made to the inspector in charge, and from his decision appeal may be made to the health commissioner or police commissioner whose decision shall be final.

SEC. 2. Any question arising regarding a proposition not covered by this ordinance shall be decided according to the United States meat inspection regulation in force.

#### ART. 14. PENALTIES.

Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than \$25 or more than \$100 for each and every violation thereof, and shall be confined in jail until said fine and costs are paid.

#### ART. 15. REPEALING CLAUSE.

Ordinance No. 7025 and all other ordinances and parts of ordinances in conflict herewith are hereby repealed.

## UTICA, N. Y.

**Meat and Meat-Food Products—Inspection—Sanitary Regulation of Slaughterhouses. (Ord. May 31, 1917.)**

That the following regulations shall govern the inspection of all meat and meat products brought into the city of Utica or slaughtered or prepared therein to be sold, offered, or exposed for sale for human consumption.

SECTION 1. The health officer shall cause to be made by the city veterinarian and such assistants or inspectors as may be appointed for the purpose who shall perform their duties under the direction and control of said health officer, an examination on the hoof of all cattle, sheep, swine, or goats intended to be slaughtered within the city of Utica. Said veterinarian or assistant shall mark or tag as inspected and condemned all such animals found to be unsound, unhealthful, or otherwise unfit for human food and shall cause to be destroyed for food purposes and personally superintend the destruction of all such animals found to be unsound, unhealthful, or otherwise unfit for human food, and said veterinarian or assistant shall mark or tag in such a manner as will permit of no deception or substitution as inspected and suspected all such animals which show what appear to be symptoms or evidences of a disease or condition rendering the same unfit for human food. If the veterinarian or his assistant is in doubt as to the existence of such disease or condition, he shall cause such animals to be removed to the slaughterhouse, to be designated for such purpose by the health officer and such animal shall be slaughtered separately from all other cattle, sheep, swine, or goats, and when so slaughtered the carcass thereof shall be subject to a careful post-mortem examination as herein provided; and the decision of the city veterinarian as to the disposition of said carcass shall be final.

SEC. 2. No person shall slaughter within the city of Utica any cattle, sheep, swine, or goats for human consumption until the same have been inspected on the hoof by the city veterinarian or his assistant.

SEC. 3. The health officer shall cause to be made by the city veterinarian or his assistant a post-mortem examination of all cattle, sheep, swine, or goats slaughtered within the city of Utica, N. Y., for human consumption; and the carcasses of all animals found to be sound, healthful, and fit for human food shall be marked or tagged and tag shall show on its face the date of the inspection of said carcasses. The city veterinarian or his assistant shall also mark or tag as inspected and condemned all carcasses and parts of carcasses of animals found to be unsound, unhealthful, or otherwise unfit for human food, and shall cause to be destroyed for food purposes and personally superintend the destruction of all carcasses found to be unsound, unhealthful, or otherwise unfit for human food.

SEC. 4. After the first inspection the city veterinarian or his assistant shall, when deemed necessary, reinspect said carcasses or parts of carcasses, or the food products thereof, to determine whether since the first inspection the same has become unsound, unwholesome, or in any way unfit for human food; and if any carcass or part or parts thereof, or any food products made therefrom, shall upon examination and inspection subsequent to the said first examination and inspection be found to have become unsound, unwholesome, or otherwise unfit [for] food, the said veterinarian or his assistant shall cause the same to be destroyed for food purposes and personally superintend the destruction of the same notwithstanding said first inspection or examination.

SEC. 5. The health officer shall cause to be made by said city veterinarian or his assistant an inspection and examination of all meat food products prepared



In any slaughtering, canning, salting, packing, grinding, rendering, or similar establishment within the city of Utica; and for the purpose of such examination or inspection said veterinarian or assistant shall have access to every part of said establishment and shall inspect and pass all such products as upon inspection are found to be pure, sound, wholesome, and made of healthful ingredients and fit for human food, and mark or tag as inspected and condemned all such products as upon inspection are found to be impure, unsound, unhealthful, or otherwise unfit for human food, and shall cause to be destroyed for food purposes and shall personally superintend the destruction of all such products which upon examination and inspection are found to be impure, unsound, unhealthful, or otherwise unfit for human food.

SEC. 6. The health officer shall cause to be made by said city veterinarian or his assistant an examination of all carcasses or parts of carcasses of cattle, sheep, swine, or goats, or the meat products thereof, slaughtered or prepared without the city of Utica and brought within the said city of Utica for human consumption; and all carcasses or parts of carcasses of said cattle, sheep, swine, or goats, or the meat or meat products thereof, found to have been inspected and marked as inspected, in accordance with the provisions of the act of Congress relating to the Federal inspection of meat or meat products intended for interstate commerce and found to be sound, healthful, and fit for human food may be inspected as in the case of carcasses slaughtered in the city of Utica and may be condemned and destroyed in the same manner as herein provided for carcasses slaughtered in the city of Utica.

SEC. 7. The health officer shall provide a suitable place or places within the boundary limits of the city of Utica for the inspection each day, except Sundays, between hours to be determined and proclaimed by said health officer, of carcasses or parts of carcasses together with lungs, kidneys, heart, throat glands, and liver thereof, or such other parts of said carcass or carcasses as may be hereinafter designated by the health officer as necessary to properly determine the condition of said carcasses or parts of carcasses, or any of the food products thereof before offering the same for sale within the city of Utica, and the city veterinarian or his assistant shall make an examination of all carcasses or parts of carcasses, or the meat products thereof, brought to said places for inspection. All carcasses or parts of carcasses, or the meat products thereof, except where inspected and stamped under Federal inspection, as mentioned in section 6 of this ordinance, found to be sound, healthful, and fit for human food shall be marked as inspected and passed by said veterinarian or his assistant with indelible ink, said mark showing the date of said inspection. The carcasses or parts of carcasses, and the meat products thereof, not so marked, except where inspected and stamped under Federal inspection, shall not be offered for sale for human food within the corporate limits of the city of Utica.

SEC. 8. The city veterinarian and assistants shall be under the direction of the health officer of the city of Utica and shall make monthly reports to said health officer or oftener when required showing number of animals inspected, the number condemned, the number marked suspicious, the consignee or owner of each condemned animal, and the cause of the condemnation of such animals, together with such information as may be required by the health officer in the interest of public health.

SEC. 9. The term "slaughterhouse," as used herein shall mean a building or part of a building or premises within the city of Utica, N. Y., used or kept for the purpose of killing, dressing, or packing any cattle, sheep or swine, calves or other animals, or the meat thereof, intended for human consumption.



SEC. 10. The health officer of the city of Utica may grant a license to a person, firm, association, or corporation to keep or maintain a building or buildings, or premises herein described as a slaughterhouse in Utica, or to any person, firm, association, or corporation dealing in meats slaughtered outside the city of Utica, upon payment of a license fee of \$25, said fee to be paid to the health officer, who shall pay the same to the city treasurer. No license for a slaughterhouse shall be granted by the health officer until the plans thereof have been filed with the health officer and approved by him; and the health officer shall not approve such plans until the same shall comply with the requirements of this ordinance. The health officer is hereby empowered to revoke any license issued under the provisions of this ordinance upon satisfactory proof of a violation of any of the provisions of said ordinance, after a hearing given to the licensee, of which hearing the licensee shall file written notice at least three days prior to said hearing. Each and every slaughterhouse for which a license shall be granted, as herein provided, shall be open in every part and department at all times for inspection by the city veterinarian or his assistants or the health officer or his assistants or representatives.

SEC. 11. No animals shall be killed, dressed, packed, or handled or the products thereof prepared or treated in any slaughterhouse within the city of Utica, between the hours of 6 o'clock in the afternoon and 7 o'clock in the forenoon or on Sundays, except by permission of the city veterinarian, which permission, except in the case of the slaughter of an injured animal, shall be in writing.

SEC. 12. In each room of the slaughterhouse wherein any meat, refuse, offal, fertilizer, or any other material derived directly or indirectly from the slaughter of animals is treated or handled, and in each room of said slaughterhouse where animals are killed and dressed the floor must be made of cement, water-tight, properly drained, and connected with a sewer approved by the health officer. All walls, doors, and casements in said rooms shall be constructed of or covered with some nonabsorbent material to a height of at least 6 feet above the floor, subject to the approval of the health officer. In each slaughterhouse there shall be constructed and maintained a properly constructed and modern cooler, the interior of which shall be painted with white enamel paint. Said cooler shall at all times when in use be provided with a sufficient supply of ice to maintain in said cooler a temperature not to exceed 38° F. Each slaughterhouse shall be provided with a manure box constructed of cement or other nonabsorbent material approved by the health officer. Said manure box shall be fitted with a tight-fitting cover with sewer connections approved by the health officer. All receptacles used in the handling of meat and meat products or for blood, entrails, offal, or waste matter of any kind, shall be made of nonabsorbent materials, and said receptacles shall be kept tightly covered when waste matter, offal, or entrails are contained therein.

The manure box and all receptacles shall be emptied and cleaned at the close of each day that a deposit is made therein. All deposits of matter and filth shall be removed from all yards, pens, or compartments at the close of each day that the same are used. The floors of all rooms shall be swept at the close of each day that said rooms are used and the floors and walls to a height of 6 feet above the floor of all rooms used for killing and dressing shall be flushed and all matter removed therefrom at the close of each day that said rooms are used.

Each slaughterhouse shall be provided with sufficient wire screens for windows and doors to keep free from flies at all times, and shall be provided with a sufficient number of receptacles for expectoration, which receptacles shall be cleaned and disinfected at least once in every 24 hours.

Each slaughterhouse shall be provided with suitable, convenient, and separate water-closets for both sexes, and also suitable and convenient sinks provided with running water for washing, in the proportion of one water-closet and one sink for every 15 persons or fraction thereof employed. Each water-closet compartment shall be thoroughly ventilated and no water-closet shall open into a room where animals are killed or the products thereof prepared or kept.

No animals shall run at large upon the premises or in any building used as a slaughterhouse.

Each slaughterhouse shall be kept at all times clean and wholesome and the odors therefrom must be destroyed by some effective means according to the best and most approved process, and everything preceding, following, or in connection with the slaughtering of animals, and the preparation of the products thereof must be free from all offensive conditions detrimental to the public health.

SEC. 13. It shall not be lawful for any person, firm, association, or corporation to keep or maintain a slaughterhouse within the city of Utica, N. Y., without first having obtained a license from the health officer so to do.

SEC. 14. No person shall expectorate or discharge from the human body, or any organ thereof, any matter whatsoever, upon any floor or wall of any slaughterhouse, or upon any equipment, or any animal or the product thereof, within a slaughterhouse, except in receptacles provided for that purpose.

No person suffering from tuberculosis, ophthalmia, or any contagious disease, or any contagious skin disease, shall be employed in a slaughterhouse in the killing of animals or the handling or preparation of the meat or meat products thereof.

SEC. 15. All persons engaged in the business of selling meat or meat products, fish or sea foods, must obtain a license from the health officer, for which a fee of \$1 shall be paid to the city. Such license, however, shall not be granted by said health officer until said place for storing and selling meat and meat products, fish, or sea food shall be inspected and approved by the city veterinarian or his assistant, both as to equipment and sanitary conditions.

SEC. 16. The body of any animal or any part thereof which is to be used as human food shall not be carted or carried through any of the streets or avenues of the city of Utica unless the same be covered by a clean covering so as to be protected from all dust and dirt.

SEC. 17. Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor and shall be liable to a fine which shall not exceed \$150 in amount, or to imprisonment not exceeding 150 days, or to both such fine and imprisonment.

## **MIDWIFERY.**

### **BIRMINGHAM, ALA.**

#### **Midwifery—Permits Required for Practice of. (Ord. 550-C, Mar. 28, 1918.)**

SECTION 1. That on and after the 1st day of January, 1919, it shall be unlawful for any person, other than a regular licensed practicing physician, to practice as a midwife in the city of Birmingham, Ala., without first making written application for and receiving a permit from the Board of Health of Jefferson County, Ala. The term "midwife" shall be construed to include any person other than an authorized regular licensed physician who shall attend a woman in labor, or who shall bargain, contract, or agree to attend any woman at or during childbirth.

SEC. 2. That no permit shall be issued by the board of health to any person to practice as a midwife unless such person shall present to the said board of health satisfactory proof or evidence of having or possessing sufficient knowledge and skill in the art of midwifery, and that such person is free from a communicable disease and of good moral character.

SEC. 3. The board of health shall, upon application made in such form as may be prescribed by said board, and at such time or place or places and in such manner as they may determine, either by a schedule of questions to be answered and subscribed, or orally, examine each and every person who is of good moral character and temperate habits, and who desires to engage in the practice of midwifery, as to his or her qualifications and knowledge of the art, and if a majority of the committee appointed by the board of health to conduct such examination shall be satisfied that such person is competent and fully qualified to engage in the practice of midwifery the board of health shall enter the name of such person as a registered midwife in a book provided for that purpose and shall issue to such person a certificate of qualification, to be signed by the chairman of the board of health, countersigned by the city health officer and by the city comptroller of the city of Birmingham.

SEC. 4. That any person who shall practice midwifery or act as a midwife in the city of Birmingham in violation of any of the regulations or provisions of this ordinance, shall, upon conviction, be punished within the limits and as provided by section 1216 of the Code of Alabama.

### **GREENWICH, CONN.**

#### **Midwifery—Regulation of Practice of. (Reg. Dept. of H., July 9, 1919.)**

1. No person other than a duly authorized physician shall engage in the practice of midwifery in the town of Greenwich without a permit from the board of health. No permit will be granted unless an application, made on the printed blank form issued by the board, and signed by the applicant or person holding a midwife's license from the State of Connecticut, has been filed with the department of health.

2. The applicant must be 21 years of age or over and of good moral character. She must be able to read and write. She must give satisfactory evidence of

cleanliness of person, habits, and methods. She must have attended, under the instruction of a licensed and registered physician, at least 20 cases of labor and have had the care of at least 20 mothers and new-born infants during the lying-in period (10 days).

3. The permit to practice midwifery issued by the board of health will allow the holder thereof to act as a midwife for only one year from the date of issuance, but it may be renewed at the end of that time upon application to the health officer; but the board of health may, at any time, revoke this permit for cause.

4. No permit will be granted to an applicant who has been convicted of criminal practice, and any such conviction will be sufficient for the revocation of a permit.

5. Before a permit is given to an applicant she must appear in person at the department of health and register her name and address. She will also receive and receipt for a copy of these regulations, which have been adopted by the board, and these regulations must be explicitly followed.

6. Any midwife holding a permit from the board of health who changes her name or address must at once report such change of name and address, giving the name under which the permit was granted, together with the new and old address.

7. No midwife shall attend any case of labor unless it is an uncomplicated vertex (head) presentation. In all other cases a physician shall be called.

8. The home of a midwife, her equipment, record of cases, and registry of births shall at all times be open to inspection by the department of health.

9. If during pregnancy any of the following conditions develop, or is suspected, a midwife shall not attend the case, but must refer it to a physician:

- a. A contracted pelvis or other deformity that interferes with labor.
- b. Bleeding from the uterus,
- c. Swelling of the face and hands or legs.
- d. Excessive vomiting.
- e. Persistent headache.
- f. Dimness of vision.
- g. Convulsions.

10. If, during labor, any of the following conditions exist or develop, a physician must be summoned:

- a. If presenting part is other than an uncomplicated vertex (head).
- b. Convulsions.
- c. Excessive bleeding.
- d. Prolapse of cord.
- e. A swelling or tumor that obstructs the birth of the child.
- f. Signs of exhaustion or collapse.
- g. Unduly prolonged labor.

11. No midwife shall remove either the placenta or membranes, except as specifically allowed. If after an hour from the birth of the child (the mother being in otherwise good condition), the after-birth (placenta and membranes) are not expelled by the mother unaided, a physician must be called.

12. If, after the birth of the child, the mother develops convulsions or has excessive bleeding or has been lacerated a physician must be called in attendance.

13. In her attendance on a case of labor, a midwife shall be scrupulously clean in every way. She shall wear a clean dress of washable material and over this a clean washable apron. The sleeves of the dress must be such that they can be rolled up over the elbow.



**14. Every midwife shall take to each case the following equipment:**

Nail brush.  
 Wooden or bone nail cleaner.  
 Jar of green or soft castile soap.  
 Tube of vaseline.  
 Clinical thermometer.  
 Agate or glass douche reservoir.  
 Two rounded vaginal douche nozzles.  
 Two rectal nozzles, large and small.  
 One soft-rubber catheter.  
 Blunt scissors for cutting cord.

Either { Lysol.  
           Carbolic acid.  
           Bichloride of mercury tablets.

Boric-acid powder.  
 One per cent solution of nitrate of silver.  
 Medicine dropper.

Narrow tape or soft twine for tying cord.

Absorbent cotton (preferably in one-quarter pound packages).

No other instruments are to be used, owned, or possessed by a midwife.

**15. This equipment shall not be carried, except in a metal case that can be easily boiled or in a bag fitted with an inner lining of washable material that can be easily removed, washed, and boiled.**

**16. At every case, before using any nail brush, nail cleaner, douche bag and tubing, vaginal nozzle, catheter, scissors, tape, or twine, it shall be boiled for five minutes. When the labor is terminated, the douche bag and tubing, vaginal nozzle, catheter, scissors, nail brush, and nail cleaner shall be washed with soap and boiled before replacing them in the bag or case.**

**17. Every midwife shall carry out strictly the following directions:**

**a. Before examining a woman in labor, the midwife shall roll up her dress sleeves above the elbow and scrub her hands and forearms in warm water with the nail brush and castile or green soap for at least five minutes; during this washing the skin under and around the nails shall be cleaned with the nail cleaner. The hands of the midwife shall then be scrubbed with the nail brush for five minutes in either the lysol, carbolic, or bichloride of mercury solution. Before passing the catheter, the midwife shall wash and scrub her hands with soap and warm water and afterwards in the antiseptic solution, and the woman's external genitals shall be washed with the antiseptic solution.**

**b. The woman's external genitals, skin over the lower part of the abdomen, and the inner side of the thighs shall then be washed with soap and water and afterwards sponged with absorbent cotton soaked in either:**

Solution of lysol, 2 per cent.

Solution of carbolic, 2 per cent.

Solution of bichloride of mercury 1 part bichloride to 5,000 parts water.

**Note.**—To make a 2 per cent solution, take 3 teaspoonfuls of either lysol or carbolic acid and add it to 1 pint of boiling water. Directions for bichloride solution are found on bottle containing tablets.

A pad of cotton wet with the solution should be left over the vulva. No vaginal douche shall be given before labor.

**c. As soon as possible after the child's head is born, and if possible before the expulsion of the afterbirth, the eyes of the child shall be washed with boric-acid solution. The eyelids must then be separated and one or two drops of a 1 per cent solution of silver nitrate (or some similar solution) dropped in each eye and the lids brought together.**



These solutions will, if desired, be furnished by the department of health.

18. Should the child not breathe after birth, that fact shall be reported at once by telephone or messenger to the department of health. An inspector will then visit the case and may issue a stillbirth certificate.

19. In caring for a woman after labor and throughout the lying-in period the midwife shall exercise the same care in washing her hands when dressing or catheterizing the patient as is called for in regulations No. 17 above.

20. If during the lying-in period any of the following conditions develop, a physician must be summoned:

- a. Convulsions.
- b. Excessive bleeding.
- c. Foul-smelling discharge (lochia).
- d. Rise of temperature to  $101^{\circ}$  F. for 24 hours.
- e. Swelling and redness of the breasts.
- f. Severe chill (rigor), with rise of temperature.
- g. Inability to nurse the child.

21. Every child shall be thoroughly examined after birth, and if the child has or develops any of the following conditions a physician shall be summoned:

- a. Deformities or malformations or injuries.
- b. Inability to suckle or nurse.
- c. Inflammation around or discharge from the navel.
- d. Swelling and redness of the eyelids, with a discharge of matter from the eyes.

- e. Bleeding from the mouth, navel, or bowels.

22. Every midwife shall, as soon as she is engaged to attend a case, notify the department of the name and address of the patient and the expected date of confinement, and also of any change in these conditions. Within 24 hours after the birth of a child the midwife shall send a report of the birth to the department of health on one of the blanks provided by the department of health for that purpose. She must also keep on the stubs of her birth-certificate book a record of every birth she attends.

23. In every case after labor the temperature of both mother and child shall be taken morning and night for five days. If during this time, or at any later period of the lying-in, the temperature of either mother or child reaches  $101^{\circ}$  F. and continues at this temperature for 24 hours, or again reaches that temperature within the following 24 hours, the case must at once be reported to the department of health. The midwife shall not go from such a case to other cases that are free from fever or to a woman in labor until she has made an entire change of clothing, thoroughly washed her arms, hands, face, and hair with soap and warm water, and washed and boiled her instruments.

24. Additions to or changes in these regulations may be made at any time by the department of health, and such addition or change will be made known to the holders of permits before taking effect.

#### NEWARK, N. J.

#### Midwifery—Regulation of Practice of—Registration of Midwives—Regulations Authorized. (Ord. May 16, 1918.)

SECTION 1. Any person shall be regarded as practicing midwifery within the meaning of this ordinance who shall publicly profess by advertisement, sign, card, or otherwise to be a midwife, or who shall for a fee attend to women in childbirth.

SEC. 2. Before any person, other than a physician duly licensed to practice medicine in this State, begins the practice of midwifery in the city of Newark,

she shall be required personally to register her name and address in the office of the health officer of the said city. Any midwife changing her name or address shall forthwith report such change to the said health officer.

SEC. 3. No person practicing midwifery in the city of Newark shall prescribe or administer any drug or medicine, except some preparation of ergot, after the birth of the head of the infant, or household remedies, nor shall she attend other than cases of labor.

SEC. 4. Every midwife shall immediately upon the passage of this ordinance, and at the expiration of every year thereafter so long as she shall practice midwifery in the city of Newark, register her name and address at the office of the health officer.

SEC. 5. No midwife shall in any case of labor use instruments of any kind, nor assist labor by any artificial, forcible, or mechanical means, nor perform version nor to attempt to remove adherent placenta.

SEC. 6. Midwives shall always secure the immediate services of a reputable licensed physician whenever any abnormal signs or symptoms appear in mother, infant, or expectant mother.

SEC. 7. The director of public affairs of the city of Newark shall have the power to promulgate such rules regulating the practice of midwifery in said city as shall be necessary to safeguard the health of the infants, mothers, or expectant mothers, which rules shall be approved by the board of commissioners of the said city. Copies of such rules shall be served upon persons practicing midwifery in said city.

SEC. 8. Any person who shall violate any of the provisions of sections 1, 2, 3, 4, 5, and 6 of this ordinance, or who shall violate any of the rules referred to in section 7 after the service upon her of a copy of such rules, shall, upon conviction, be subject to a fine not to exceed \$100 for each offense.

**Midwifery—Regulation of Practice of—Reports by Midwives. (Reg. May 16, 1918.)**

**RULE 1. Cases in which midwives may practice.**—A duly licensed and registered midwife may practice midwifery in cases of normal labor in which there is an uncomplicated vertex (head) presentation, and no others. In all other cases a physician must be summoned by the midwife or family.

**RULE 2.** The home of the midwife, the cases she attends, her equipment, record of cases, and register of births shall at all times be open to inspection to the authorized officers, inspectors, and agents of the department of health.

**RULE 3.** Each midwife must be scrupulously clean in every way, including her person, clothing, equipment, and house. She must keep her nails short and keep the skin of her hands, as far as possible, free from cracks and abrasions by use of lanolin or other simple application. When attending a case of labor she must wear a clean dress, preferably white, of washable material which can be boiled, such as linen or cotton, and over it a clean washable apron or overall. The sleeves of the dress must be so made that they can readily be rolled up above the elbows.

**RULE 4.** If, during pregnancy, any of the following symptoms or conditions develop the midwife shall not engage to attend the case:

1. Whenever a patient is a dwarf or is deformed.
2. Whenever there is bleeding or repeated staining in small amounts.
3. Whenever there is a swelling or puffiness of the face, hands, or limbs.
4. Whenever there is excessive vomiting.
5. Whenever there is dimness of vision or dizziness.
6. Whenever there are fits or convulsions.

7. Whenever there is a purulent discharge.
8. Whenever there are sores or warts on the genitals.
9. Whenever the patient is known to have syphilis, or suspected of it.

When other signs or symptoms of abnormality develop the midwife shall refer the woman to a physician or clinic for examination.

**RULE 5. *Physician to be summoned during labor.***—If, during labor, any of the following conditions or other abnormal signs exist or develop, a physician must be summoned immediately by the midwife or family:

1. Miscarriage.
2. The presenting part is other than an uncomplicated vertex (head).
3. Fits or convulsions.
4. Excessive bleeding.
5. Prolapse of the cord.
6. A swelling or tumor that obstructs the birth of the child.
7. Signs of exhaustion or collapse of the mother.
8. When fetal heart has been heard and ceases to be heard.
9. Prolonged labor.

**RULE 6.** Under no circumstances shall a midwife introduce her hand into the vagina or uterus to remove either the whole or part of the afterbirth (placenta or membranes). If, after an hour from the birth of the child, the mother being in otherwise good condition, the afterbirth (placenta or membranes) is not expelled or can not be expelled by gentle manipulation of the uterus through the abdominal walls, a physician must be summoned by the midwife or family.

**RULE 7. *Stillbirths.***—Should the child not breathe after birth the midwife must send for a physician at once so that he may make out the stillbirth record.

**RULE 8. *Physician to be summoned during lying-in period.***—If, during the lying-in period, any of the following conditions develop a physician must be summoned immediately by the midwife or family:

1. Perineal lacerations of second or third degree.
2. Whenever there are convulsions.
3. Whenever there is excessive bleeding.
4. Whenever there is foul smelling discharge (lochia).
5. Whenever there is a rise of temperature to 101° F. for more than 24 hours.
6. Whenever there is swelling or redness of the breasts.
7. Whenever there is a severe chill (rigor) with rise of temperature.
8. Whenever there is inability to nurse the child.
9. Whenever there are severely cracked nipples.

**RULE 9. *Physician to be summoned if child develops certain conditions.***—Every child should be thoroughly examined after birth, and if the child has or develops any of the following conditions a physician must be summoned or case reported to the department of health:

1. If baby is premature or immature.
2. Whenever there is any deformity or malformation or injury.
3. Whenever there is inflammation around or discharge from the navel.
4. Whenever there is swelling or redness of the eyelids, with a discharge of matter from the eyes.
5. Whenever there is bleeding from the mouth, navel, or bowels.
6. Whenever there is any rash, sores, or snuffles suggestive of syphilis.
7. Whenever there is any difficulty in nursing.

**RULE 10. *Midwife's equipment.***—Every midwife must take to each case the following equipment: Nail brush, wooden or bone nail cleaner, jar of green or soft castile soap, tube of vaseline, clinical thermometer, blunt scissors for cutting cord, bichloride tablets or lysol, borie acid powder, silver nitrate solution,

outfit furnished free by the department of health, medicine dropper, narrow tape or soft twine for tying cord, and proper dressing for the cord.

No instruments other than those specified in this rule shall be used by a midwife. (Possession of other instruments will be taken to indicate their use.)

**RULE 11. Container for equipment, how to be kept.**—The equipment specified in rule 10 must be carried either in a metal case which can be easily boiled, or in a bag fitted with an inner lining of washable material, which can be easily removed. The bag and its contents must at all times be kept neat and clean.

At every case, before using the nail brush, nail cleaner, scissors, and tape or twine, they must be boiled for five minutes; when the labor is terminated the scissors, nail brush, and nail cleaner must be washed with soap and water and boiled.

**RULE 12. Preparation for internal examinations.**—Before making an internal examination or conducting a delivery, a midwife must prepare her hands and the patient as follows:

The midwife, after thoroughly washing her hands with warm water and soap, must thoroughly wash the patient's external genitals, the internal surface of thighs, and the lower part of the abdomen with warm water and soap, then rinse them with clean water and a disinfecting solution prepared by adding 1 teaspoonful of lysol to 1 pint of water, or 1 bichloride tablet to 1 quart of water. She must then cover the genitals with a clean towel or cloth or cotton, which has been soaked in the disinfecting solution, and she must allow it to remain there until the examination is made. The midwife's hands must be cleaned and disinfected as follows:

Cut the finger nails short with clippers or scissors. Scrub the hands and forearms up to the elbows with the nail brush and green soap and water for five minutes, paying special attention to the nails and inner surface of the fingers. Then soak the hands for three minutes in the disinfecting solution. After having cleaned and disinfected the hands in this way, they must not come in contact with anything before touching the parts of the patient to be examined. Very few vaginal examinations should be made. Progress of labor should be noted by external abdominal examinations. Before each examination the midwife's hands and the patient must be prepared as above described.

Hands showing abrasions or other diseases of the skin must be kept covered during the examination of the mother or when handling the cord of the infant.

No vaginal douche shall be given before or after labor.

**RULE 13. A midwife must in all cases examine the afterbirth (placenta and membranes) before it is destroyed, and must satisfy herself that it has been completely expelled.**

**RULE 14. Procedure after delivery.**—After the labor is over the midwife must clean the skin around the external genitals with the antiseptic solution mentioned above, and then place a dry sterile pad over the vulva. The midwife must bathe and dress the patient in this manner at least once daily for five days after delivery.

**RULE 15. As soon as the child is born and, if possible, before the expulsion of the afterbirth, its eyes should be washed with boric acid solution. The eyelids must then be separated and 1 drop of 1 per cent solution of silver nitrate dropped in the eyes and the lids brought together.**

One application only of this silver-nitrate solution should be made, and ordinarily no further attention should be given to the eyes for several hours.

Silver-nitrate solution will be furnished free by the department of health.



**RULE 16. Reports of cases of sore eyes.**—When the infant has or develops sore eyes or any redness, inflammation, or discharge from the eyes, the midwife in attendance, if the family fail to do so, must at once call a physician and must report to the department of health the name and address of the mother and state the time when such condition of the eyes was first noticed.

**RULE 17. Midwives to attend cases seven days after labor.**—The midwife shall visit her patient at least once daily for seven days after labor, giving the necessary attention to both mother and infant. She shall record the pulse and temperature of the mother at each visit and give proper directions as to feeding of mother and nursing of child during the periods between her visits; she shall give instructions how to keep the air in the patient's room fresh; she shall advise to have the baby sleep in a basket or crib, instead of in the bed with the mother; she shall watch constantly for any symptoms of the complications or abnormalities described in rules 4, 5, 8, and 9. She shall give to the child its daily washing (not a full bath) and attend to the dressing of the cord and cleaning of the mouth and eyes.

**RULE 18. Disinfection of midwife's equipment, etc., after infectious disease.**—Whenever a midwife has been in attendance upon a patient or in contact with any person suffering from puerperal fever or from any other condition known or believed to be infectious, she must disinfect herself, her clothing, and all the contents of her bag and other appliance before going to any other maternity patient.

In order to disinfect her person a midwife must take a hot bath and wash her hair; she must disinfect her hands as in rule 12; she must make an entire change of clothing and have all garments which she wore while in attendance upon the infected person washed and boiled. Those garments which can not be washed should be well and repeatedly shaken during the course of two days and hung out in the open air so that they may be exposed to the rays of the sun. Care should be taken to change their exposure so as to insure the sun's reaching every part.

After any case of communicable disease the house must be thoroughly cleaned and the floor and surface of the midwife's bedroom scrubbed with soap and water. Carpets, hangings, and other articles which can not be boiled must be sunned and aired.

[No rule 19.]

**RULE 20. Reports of births.**—Within five days of the birth of the child the midwife must send the report of the birth to the city clerk on one of the blanks issued for that purpose. She must also keep on the stubs of her birth certificate book a record of every birth she attends.

**RULE 21. Reporting contagious diseases.**—Any disease in the home of the midwife or the patient attended, suspected to be of a contagious nature, such as scarlet fever, whooping cough, measles, chickenpox, puerperal fever, etc., must be reported to the department of health at once and the family advised to summon a physician.

**RULE 22. Reporting cases of labor.**—Every midwife, when requested by this department, shall notify the department of health of all cases of labor that she is called to attend.

**RULE 23. No midwife suffering from the following conditions shall attend a woman in child birth:** Tuberculosis, venereal disease, typhoid fever or the typhoid bacillus, diphtheria or the diphtheria bacillus, or any other communicable disease so defined by the sanitary code of the State of New Jersey or the city of Newark.



## PORT CHESTER, N. Y.

**Midwives—Required to Be Licensed. (Reg. Jan. 21, 1918.)**

CH. 7. REG. 9. *Midwives*.—No person shall practice midwifery or hold herself out as a midwife within this municipality unless she is duly licensed for that purpose as required by the public-health law and the sanitary code.

## WINSTON-SALEM, N. C.

**Midwifery—Regulation of Practice of—Reports by Midwives. (Ord. Feb. 21, 1919.)**

That ordinance section 471 is hereby repealed and the following is substituted in lieu thereof:

1. *Definition*.—The practice of midwifery shall be construed to mean the conducting of the management of any form or stage of parturient labor by a person not duly licensed by the laws of the State of North Carolina to practice medicine, in consideration for which services, money, or any other thing or service of value is received or intended to be received.

2. On and after September 1, 1919, it shall be unlawful for any person to practice midwifery in Winston-Salem who shall not have applied in person to the city health officer for permission to engage in such practice, making a sworn statement setting forth his or her name, age, residence address, and the amount and character of training received, which information, with such other information as may be required, shall be registered in the office of the health department in a book to be kept for that purpose.

3. Permission will be granted by the city department of health to applicants mentioned in section 2 only with certain restrictions and only after having passed a satisfactory examination before the city health officer or before physicians designated by the city health officer for this purpose.

4. Whenever and wherever deemed advisable, the city health officer will organize and conduct a course of instruction, which it shall be mandatory for midwives to attend, unless excused from this obligation by the city health officer.

5. Permission to practice midwifery will not be granted for a period of more than one year at a time, and the city health officer reserves the right to terminate this permission, for just cause, at any time it may be advisable to do so.

6. No person under 21 years of age will be given permission to practice midwifery.

7. It shall be unlawful for any person while affected with any contagious or infectious disease to attend as a midwife a woman in the discharge of this service.

8. The following further restrictions to the practice of midwifery are imposed:

- a. Making a vaginal examination is prohibited.
- b. Administration of any drug to hasten the course of labor is prohibited.
- c. The wearing of any distinctive uniform is prohibited.
- d. The attending of any woman in labor who has had a previous difficult labor is prohibited.
- e. The application of grease or any other lubricant to the private parts of the patient is prohibited.
- f. All reasonable aseptic precautions must be employed in connection with the case.
- g. A record must be kept of the time of onset of labor, which must be presented on demand to any physician who may visit the patient in labor or thereafter.

h. A duly licensed practicing physician must be called in to see the patient at once in case any of the following accidents occur:

1. Convulsions.
2. Collapse.
3. Any sign or symptom of fever.
4. Abnormal presentations; i. e., breech, face, hand, etc., appearing at the vulva.
5. Prolapse of cord (appearing at the vulva).
6. Antepartum or postpartum hemorrhage.
7. When the patient has been in labor more than 12 hours without the birth of the child.

9. *Equipment.*—Every midwife must take to each case the following:

Nail brush.

Wooden or bone nail cleaner.

Jar of soft castile or green soap.

Tube of vaseline.

Blunt scissors for cutting the cord.

Lysol.

Boric acid powder.

Silver nitrate solution outfit.

Medicine dropper.

Narrow tape for tying cord.

Sterile gauze in small packages for dressing cord.

Sterile cotton (preferably in one-quarter pound packages).

No other instrument shall be used or owned by a midwife or kept in her possession.

10. The equipment specified in section 9 must be carried in either a metal case which can be boiled or in a bag which can be easily cleaned.

11. *Stillbirths.*—Should the child be born dead, the midwife must call a physician at once and also notify the health department.

12. *Use of silver nitrate solution.*—As soon as the child is born the eyes should be washed with boric acid solution. One or two drops of a 1 per cent solution of silver nitrate must be dropped into each eye. The silver nitrate solution will be furnished free by the city or State health department.

13. *Reports of cases of sore eyes.*—When the infant has or developed sore eyes or any redness, inflammation, or discharge from the eyes, the midwife must call a physician at once and must report to the health department every case within six hours after she becomes aware of such condition.

14. *Report of birth.*—Within five days of the birth of the child the midwife must file the report of the birth with the local registrar on one of the blanks issued for that purpose.

15. Every person in the practice of midwifery shall carry a card showing that he or she is operating under permission granted by the city department of health, as hereinbefore described, and shall present such card to one or both parents of the prospective child upon taking charge of the case.

16. The parents of the prospective child shall be held responsible for the employment of any person in the practice of midwifery who shall not have complied with section 15 of these regulations, and for so doing shall receive the same penalty as the person who practices midwifery unlawfully.

## MILK AND MILK PRODUCTS.<sup>1</sup>

### BALTIMORE, MD.

#### Milk and Milk Products—Production, Handling, and Sale. (Ord. 262, June 1, 1917.)

SECTION 1. That section 55-A of article 14 of the Baltimore City Code of 1906, title "Health," subtitle "Food, food products, and milk," as the same was ordained by ordinance 103 approved May 6, 1908, be, and the same is hereby, repealed and reordained so as to read as follows:

55.-A. Every person or corporation desiring to bottle or handle for sale, or to offer or expose for sale, or to sell, dispose of, exchange, or deliver milk or cream (the words "milk or cream" as herein used being intended to mean milk, cream, skimmed milk, buttermilk, or other fermented milk), or to manufacture for sale ice cream or butter, in the city of Baltimore, shall make application to the commissioner of health for a permit so to do. Such application shall be made on a printed form to be furnished by the commissioner of health upon demand, and the applicant, if an individual, shall state therein his full name and residence, and if a corporation, shall state therein the name of such corporation and the full name and residence of each of its officers. Such application shall also state the location of the place at which it is proposed to carry on the business, and whether the applicant desires to pasteurize or bottle milk or cream, to sell milk or cream in the original unbroken package, or to manufacture for sale ice cream or butter. Such application shall also contain a statement of the number and character of wagons or other vehicles, if any, to be used by the applicant in or about his business; also the number of cows, if any, owned or controlled by the applicant, and such other data concerning the conduct of such business as the commissioner of health may require.

The commissioner of health, upon receipt of such application, shall cause to be investigated the place of business described in such application and the wagons and other vehicles, if any, intended to be used by such applicant. If such places of business and such wagons and other vehicles are found upon such investigation to be in a sanitary condition and fit for the uses and purposes to which they are intended to be put, said commissioner of health shall forthwith register said applicant in a proper record to be kept for the purpose and issue a permit authorizing such applicant to carry on, engage in, and conduct the business applied for in Baltimore City at the place designated in such application. Such permits shall specify the kind or kinds of business to be conducted. All permits granted pursuant to this ordinance may at any time be revoked by the commissioner of health for the persistent, repeated, or willful violation of any law or ordinance or of any regulation of the commissioner of health governing the handling or sale of milk or cream or the manufacture for sale of ice cream or butter in Baltimore City: *Provided, how-*

<sup>1</sup> See also Communicable diseases, p. 62; Foodstuffs, eating and drinking places, food establishments, soda fountains, and ice cream parlors, p. 150; Ice cream and confectionery, p. 240.

ever, That no such permit shall at any time be revoked by the commissioner of health unless he shall first have given the holder of the same not less than 10 days' notice in writing of his intention to revoke such permit and an opportunity to be heard by him as to why such should not be done, this proviso not to be taken to apply to cases where the sale of milk or cream or the manufacture for sale of ice cream or butter may be temporarily prohibited by the commissioner of health because of disease, temporary insanitary condition, or similar causes. Such permits shall be nontransferable, and no permit issued hereunder shall entitle or authorize the holder thereof to carry on, engage in, or conduct the business in any place or places other than that described and set out in such permit. If any person or corporation having a permit as aforesaid shall change the location of his or its place of business, notice of such proposed change shall be given to said commissioner of health and his consent in writing received to conduct such business at such new location, and no business shall be conducted or carried on at such new location until such new consent has been received.

Any person or persons or any corporation, or officer, agent, or servant thereof, who shall bottle or otherwise handle for sale, or offer or expose for sale, or sell, dispose of, exchange, or deliver, or who shall cause to be bottled or otherwise handled for sale or offered or exposed for sale or sold, disposed of, exchanged, or delivered (or with intent so to do shall have in his, its, or their possession, care, custody, or control in Baltimore City) milk or cream or who shall manufacture for sale ice cream or butter in Baltimore City without having a proper permit so to do as herein required shall be fined not less than \$5 nor more than \$100 for each offense. The provisions of this section shall not be construed to apply to milk or cream which has been denatured in a manner satisfactory to the commissioner of health and which is not intended for human food.

SEC. 2. That a new section be added to article 14 of the Baltimore City Code of 1906, title "Health," subtitle "Food, food products, and milk," to be designated "section 55-E," to follow immediately after section 55-D hereof, as the same was ordained by ordinance 103, approved May 6, 1908, and to read as follows:

55-E. Every permit heretofore issued under the provisions of section 55-A of this article shall expire five months after the date of the passage of this ordinance, unless an application for renewal thereof be made on or before that date, in which event such permit shall remain in force until the commissioner of health acts upon the application for renewal and notifies the applicant in writing that a renewal has been granted or refused. Permits hereafter granted and permits hereafter renewed shall expire one year after the date on which they are granted or renewed; but if an application for renewal be made any time within 30 days prior to such time of expiration, such permit shall remain in force until the commissioner of health notifies the applicant in writing that a renewal has been granted or refused. An inspection fee of \$10 shall be paid to the commissioner of health by each applicant for a permit to pasteurize or bottle milk or cream, and a fee of \$2 by each applicant for a permit to sell milk or cream in the original unbroken package or to manufacture ice cream or butter; said fees to be paid at the time of the making of the application, whether it be for an original permit or for a renewal thereof. Only one inspection fee is to be paid where the application is for a permit to pasteurize or bottle milk or cream, and also to sell milk or cream or to manufacture ice cream or butter upon the same premises, and in such cases the fee shall be \$10. All such inspection fees paid shall be promptly accounted for by the commissioner of health and immediately paid over by him to the comptroller for the use of the city of Baltimore.



SEC. 3. That sections 56-A and 56-B of article 14 of the Baltimore City Code of 1906, title "Health," subtitle "Food, food products, and milk," as the same was ordained by ordinance 103, approved May 6, 1908, be and the same are hereby repealed and reordained so as to read as follows:

56-A. All consumers who receive milk or cream from vendors in cans, bottles, vessels, or other containers, which are to be returned to said vendors, shall immediately after emptying the same and before their return as aforesaid cause such cans, bottles, vessels, or other containers to be washed and thoroughly cleansed. All dealers in milk or cream receiving such milk or cream in cans, vessels, or other containers which are to be returned to the person shipping or delivering the same to such dealers shall immediately after emptying the same and before their return as aforesaid cause such cans, bottles, vessels, or other containers to be cleansed and sterilized with boiling water or otherwise subjected to a moist heat at a temperature of 200° F., or sterilized by other method approved by the commissioner of health, and all dealers in milk or cream retailing the same in cans, bottles, vessels, containers, or receptacles of any kind shall thoroughly cleanse and sterilize in the manner above set forth all such cans, bottles, vessels, receptacles, and containers before such milk or cream is placed therein for delivery to customers. Any violation of or failure to comply with any of the provisions of this section shall be punishable by a fine of not less than \$5 nor more than \$50.

56-B. No person shall transfer milk or cream from one receptacle, can, bottle, or vessel of any kind to another vessel of the same or other kind on wharves, railroad depots, on streets or in wagons, except for the purpose of salvage of milk, when the milk can be damaged. Any violation of or failure to comply with any of the provisions of this section shall be punishable by a fine of not less than \$5 nor more than \$100.

SEC. 4. That section 59 of article 14 of the Baltimore City Code of 1906, title "Health," subtitle "Food, food products, and milk," as the same was ordained by ordinance 103, approved May 6, 1908, be, and the same is hereby, repealed and reordained so as to read as follows:

59. Only pure, unadulterated, unsophisticated, and wholesome milk shall be sold or offered for sale in Baltimore City, and such articles shall be understood to be the natural product of healthy cows, which has not been deprived of any part of its cream, and to which no additional liquid or solid or preservative has been added, and which at a temperature of 60° F. shall have a specific gravity of not less than 1.029 and contain not less than 12 per cent of total solids, of which not less than 3½ per cent shall be milk fats, and of which not less than 8½ per cent shall be solids other than milk fats. No milk sold, received, kept, offered for sale, or delivered in the city of Baltimore shall in any particular be under the standard herein described without being considered impure, adulterated, sophisticated, or unwholesome. Nothing in this section of this article shall be construed to prevent the sale of skim milk, buttermilk, sour milk, milk prepared by fermentation or other processes, milk powder, condensed milk, or of modified milk prepared under the prescription of a physician, provided they be sold and plainly marked or labeled as such; and nothing in this section shall be construed to prevent the commissioner of health from permitting what is known as the standardization or adjustment of milk under such regulations as the commissioner of health may determine.

Only pure, unadulterated, unsophisticated, and wholesome cream shall be sold or offered for sale in Baltimore City, and such article shall be understood to be the product of healthy cows which is free from all constituents foreign to normal milk, and which contains not less than 18 per cent of milk fat.



Nothing in this section shall be construed to prevent the sale of cream containing less than 18 per cent milk fat, provided the percentage of total solids and of milk fat of such cream does not fall below the requirements of milk as above defined, and provided the container of such cream be plainly labeled with the percentage of milk fat of such cream.

Any violation or failure to comply with any of the provisions of this section shall be punishable by a fine of not less than \$20 nor more than \$100.

SEC. 5. That 11 new sections be, and they are hereby, added to article 14 of the Baltimore City Code of 1906, title "Health," subtitle "Food, food products, and milk," as amended by ordinance 103, of May 6, 1908, said new sections to follow section 59 and to be designated 59-A, 59-B, 59-C, 59-D, 59-E, 59-F, 59-G, 59-H, 59-I, 59-J, and 59-K and to read as follows:

59-A. Milk and cream produced and handled in conformity with the requirements of this section and such additional regulations as may be prescribed by the commissioner of health shall be known as "standard milk pasteurized" and "standard cream pasteurized," respectively.

The commissioner of health is authorized to prohibit the sale or use in Baltimore city of any ice cream or butter or other milk product which is made from milk or cream which is below the requirements for standard milk pasteurized or standard cream pasteurized, or any ice cream, butter, or other milk product which for any other reason is unfit for human food, and no person shall sell, offer for sale, sell, or deliver for consumption in the city of Baltimore any ice cream or butter or other milk product the sale or use of which shall have been so prohibited by the commissioner of health.

All milk, skimmed milk, or cream held, kept, offered for sale, sold, or delivered for consumption in the city of Baltimore or used for the manufacture of ice cream or butter, buttermilk, or other fermented milks, whey, or curd, in the city of Baltimore, shall be produced, pasteurized, and handled in the manner set forth in the following rules and definitions, and in conformity with such additional regulations as may be prescribed by the commissioner of health, except as otherwise provided in sections 59-B, 59-D, 59-E, and 59-F of this article:

RULE 1. Standard milk pasteurized and standard cream pasteurized shall be produced on dairy farms having dairy farm permits issued pursuant to the provisions of section 59-H of this article.

RULE 2. Standard milk pasteurized shall not contain more than 100,000 bacteria per cubic centimeter after pasteurization and prior to delivery.

RULE 3. Standard milk pasteurized shall not contain more than 1,500,000 bacteria per cubic centimeter before pasteurization.

RULE 4. Pasteurized milk shall be milk which has been uniformly heated to a temperature between 142° F. and 150° F. and maintained at that temperature for not less than 30 minutes, and cooled immediately to a temperature of 45° F. or less: *Provided, however,* That nothing in this ordinance shall be construed to prevent the commissioner of health from permitting the heating of milk to temperatures higher than 150° F., if, in the opinion of said commissioner of health, such higher temperatures are desirable.

Pasteurized milk or skimmed milk which is used for the manufacture of any milk products or pasteurized cream shall be milk or cream which has been uniformly heated to a temperature of 142° F., or higher, and maintained at that temperature for not less than 30 minutes. But the period of holding may be reduced one minute for each additional degree of uniform temperature of heating of such milk or skimmed milk to be used for the manufacture of milk products or cream, with a minimum period of holding of five minutes. Such

milk or cream shall be cooled immediately after pasteurization to a temperature of 45° F. or less, unless the same is to be used for buttermilk or other ripened milk products.

**RULE 5.** Milk or cream, while in the plant where it was pasteurized or where it is held, kept, or stored, shall be maintained at a temperature below 50° F., and pasteurized milk or cream shall be maintained at all times, prior to delivery, at a temperature below 60° F., unless otherwise permitted by the commissioner of health.

**RULE 6.** Pasteurized milk shall not be repasteurized and sold as milk, except by authorization of and under regulations prescribed by the commissioner of health.

**RULE 7.** Pasteurized milk shall not be sold, delivered, or offered for sale after 36 hours from the day of pasteurization.

**RULE 8.** No pasteurizing apparatus or appliances shall be used for the pasteurization of milk or cream for sale or for use in the manufacture of milk products in the city of Baltimore until and unless such apparatus and appliances are approved by the commissioner of health or his subordinates.

**RULE 9.** No building or any part of any building intended for the pasteurizing, bottling, storage or handling of milk or cream shall be erected, altered, or enlarged in the city of Baltimore without a permit from the commissioner of health. All applications for such permits shall be made to the commissioner of health and shall be accompanied with plans and full details of the contemplated erection, alteration, or enlargement. Plans shall be submitted in duplicate. One copy shall be retained by the commissioner and the other returned to the applicant. This requirement is in addition to any building permit required by law or ordinance.

**RULE 10.** All apparatus and appliances in a plant where milk or cream is pasteurized shall be so constructed that they can be readily cleansed and sterilized. All such apparatus and appliances shall be thoroughly sterilized immediately prior to every time they are used, and shall be thoroughly cleansed immediately following every use thereof. All bottles and other containers of milk or cream shall have been thoroughly cleansed and sterilized with boiling water or otherwise subjected to a moist heat at a temperature of 200° F., or sterilized by other method approved by the commissioner of health before being filled with milk or cream.

**RULE 11.** An automatic temperature recording apparatus approved by the commissioner of health or his duly authorized subordinates shall be installed on pasteurizing appliances and shall be so maintained that it will accurately record the temperature to which the milk or cream has been raised, and so far as possible the duration of time the milk or cream is maintained at the recorded temperature; and also record the temperature to which pasteurized milk or cream is cooled. All records and charts shall be dated and filed at the pasteurizing plant and subject at all times to the inspection of the commissioner of health or his duly appointed subordinates.

**RULE 12.** Pasteurized milk or cream shall not be bottled or placed in other receptacles in any place other than in the plant where it has been pasteurized. No person or dealer in milk shall offer for sale, sell, or deliver any milk or cream in quantities of less than 1 gallon unless the same be kept, offered for sale, exposed for sale, sold, or delivered in sanitary glass bottles or such other receptacles or in such other manner as may be approved by the commissioner of health.

**RULE 13.** No person shall sell, or with intent so to do, have in his possession, care, custody, or control any pasteurized milk or cream unless such milk or cream is contained in and is sold in a tightly closed container in which it

was pasteurized or placed immediately after pasteurization and then closed and kept continuously closed until after sale. All milk and cream shall be placed in bottles or other receptacles and capped or tightly closed in such a manner as to prevent the contact of the person of the operator with the milk or cream. The filling or capping of bottles by hand is prohibited.

SELECTED RAW MILK AND SELECTED RAW CREAM.

59-B. Milk and cream produced and handled in conformity with the provisions of this section shall be known as "selected raw milk" and "selected raw cream," respectively. Any person or corporation desiring to sell, offer for sale, expose for sale, dispose of or exchange milk or cream which has not been pasteurized shall, in addition to securing a permit for the sale of milk and cream as required by section 55-A of this ordinance, also make application to the commissioner of health for a permit to sell raw milk or cream. Such application shall contain the full name and residence of the applicant, and if a corporation the name and residence of each of its officers. Such application shall also state the location of all premises upon which the milk or cream is to be produced, handled, or stored. The commissioner of health, upon receipt of such application, shall furnish the applicant with a set of rules and regulations governing the handling and distribution of raw milk, and shall cause to be investigated the premises described in such application; and shall also cause to be inspected all equipment upon the premises. If such premises and such equipment are found upon such investigation to be in a sanitary condition, and suitable for the uses and purposes of handling milk intended for consumption in its raw state, the said commissioner of health shall forthwith register said applicant in a proper record to be kept for the purpose, and shall issue a permit authorizing such applicant to carry on, engage in, and conduct the business of vendor of raw milk and cream in Baltimore City at the place designated in the application.

The applicant for a permit to sell milk or cream that has not been pasteurized shall secure from the commissioner of health a form of application for a permit for each producer from whom he proposes to procure such milk or cream, and when these applications shall have been properly filled out and filed the commissioner of health shall furnish the applicant for each of the producers a set of rules and regulations governing the production of selected raw milk, and shall in each case cause a careful investigation to be made of the condition of the herd, the farm, and its equipment, and if found satisfactory the commissioner of health shall register the said producer in a proper record to be kept for the purpose, and shall issue a "raw milk farm permit" authorizing said producer to ship milk or cream to the city of Baltimore, for sale or distribution, without pasteurization. All permits granted pursuant to this ordinance may, at any time, be revoked by the commissioner of health for failure to comply with the rules and regulations which the commissioner of health shall have issued in accordance with the power conferred upon him by any ordinance.

Selected raw milk and cream shall be produced, handled, sold, and distributed in accordance with all the requirements of section 59-A of this ordinance, except those relating to pasteurization, and in addition in conformity with the following rules and such other requirements as may be prescribed by regulation of the commissioner of health in pursuance of this ordinance.

RULE 1. This milk shall be produced on dairy farms having raw milk dairy farm permits, issued pursuant to this section of this article. The cream shall be cream from such milk. These permits shall be issued only to such farms as in their character and equipment meet the requirements of the rules and

regulations of the commissioner of health for the production of raw milk. These farms shall be inspected and scored at least quarterly.

RULE 2. This milk shall be solely from cows annually subjected to the tuberculin test and certified to be free from disease by a veterinarian designated or approved by the commissioner of health. The tuberculin test shall have been applied in accordance with rules and regulations approved by the commissioner of health. All reactors shall be immediately removed from possible contact with the dairy herd and the premises disinfected in accordance with the rules and regulations of the United States Bureau of Animal Industry. Examination of the cattle and premises shall be made as often as may be required by the commissioner of health, and all animals found to be diseased shall be immediately removed from possible contact with the dairy herd; and if the nature of the disease is such as to justify it, the owner may be required to disinfect the premises in accordance with the rules and regulations of the United States Bureau of Animal Industry.

RULE 3. All persons employed in or about the barns or milk house, or who in any manner come in contact with the milk on the farms on which such milk or cream is produced, or in any place where such milk or cream is exposed or placed in any containers, shall have passed medical examination satisfactory to the commissioner of health, indicating that such employees are free from communicable diseases and are not carriers of disease-producing organisms. All such persons shall be examined as often as may be required by the commissioner of health. Any communicable illness of such persons, or of any members of the household in which they live, shall immediately exclude such persons from possible contact with the milk, and the nature of the illness shall be immediately reported to the commissioner of health and to the distributor to whom the milk is shipped. The medical examinations shall be made by a physician approved by the commissioner of health and at the expense of the producer.

RULE 4. Selected raw milk shall not contain more than 50,000 bacteria per cubic centimeter prior to delivery and shall be delivered to the consumer within 48 hours after production.

#### LABELING.

59-C. All containers in which milk or cream is offered for sale, sold, or delivered in the city of Baltimore shall be plainly labeled as follows, namely:

All containers of milk or cream which conform to the requirements of standard milk pasteurized or standard cream pasteurized, as defined by section 59-A hereof, shall be plainly labeled "Standard milk pasteurized," if the contents of the container be milk, and "Standard cream pasteurized," if the contents be cream, respectively, except in cases of such containers which are properly labeled in conformity with the provisions of section 59-E hereof; and all containers of milk or cream which conforms to the requirements of selected raw milk or selected raw cream, as defined by section 59-B hereof, shall be plainly labeled "Selected raw milk," if the contents of the container be milk, and "Selected raw cream," if the contents be cream, respectively, except in cases of such containers which are properly labeled in conformity with the provisions of section 59-D hereof; and all containers of milk or cream which is below the requirements for standard milk pasteurized and standard cream pasteurized shall be plainly labeled "Below standard milk," if the contents of the container be milk, and "Below standard cream," if the contents of the containers be cream, respectively, or with such other mark or marks as the commissioner of health may require in the exercise of the authority conferred upon him by section 59-F hereof.



All containers of cream which contains less than 18 per cent of milk fat shall be plainly labeled with the percentage of milk fat which such cream contains, and containers of other cream, the milk fat content of which is as much as or more than 18 per cent may, at the option of the dealer, be labeled with the percentage of milk fat of such cream.

All such containers shall be plainly labeled with the name of the person or corporation selling the milk or cream, and if the milk or cream is pasteurized, the container shall be plainly labeled with the location of the plant in which the milk or cream has been pasteurized and the day of the week on which such milk or cream was pasteurized unless the commissioner of health shall otherwise direct.

No person or persons shall hold, keep, offer for sale or deliver for consumption in the city of Baltimore any milk or cream bearing any label other than that hereinbefore provided for unless such other label be approved by the commissioner of health, and any labeling contrary to the provisions hereof or failure to label in accordance with the requirements hereof or any other violation of the provisions hereof, shall be a misdemeanor punishable under the provisions of section 59-K of this article.

If, at any time hereafter, lettering or other designation of milk or cream fulfilling the requirements of this ordinance shall come into such general use that, in the judgment of the commissioner of health, it would be desirable, in the interest of uniformity of designation, to substitute such lettering or other designation for the labeling herein required, he is authorized hereby to do so.

59-D. The commissioner of health may permit the sale in the city of Baltimore of raw milk or raw cream, bearing the label "certified milk" or "certified cream," provided that such milk or cream shall conform to and shall be handled in accordance with all the requirements of section 59-B of this article, and in addition to these requirements shall conform to the requirements for certified milk and certified cream as provided in section 23 of article 58 of the Annotated Code of Maryland as the same was reenacted by chapter 337 of the acts of the general assembly of Maryland of 1916, or which may be provided in any amendment thereof which may hereafter be made.

#### SELECTED MILK PASTEURIZED AND SELECTED CREAM PASTEURIZED.

59-E. The commissioner of health may permit the sale in the city of Baltimore of pasteurized milk or pasteurized cream bearing the label "selected milk pasteurized" or "selected cream pasteurized," provided such milk or cream conforms with and is handled in accordance with all the requirements of section 59-A of this article, and in addition conforms with and is handled in accordance with the following rules for "selected milk pasteurized" or "selected cream pasteurized," and, further, conforms with such additional rules and regulations as the commissioner of health may establish.

RULE 1. This milk shall be milk solely from cows annually examined and subjected to the tuberculin test and certified to be free from disease by a veterinarian designated or approved by the commissioner of health. The tuberculin test shall have been applied in accordance with rules and regulations approved by the commissioner of health. All reactors shall be removed immediately from possible contact with the dairy herd and the premises disinfected in accordance with the rules and regulations of the United States Bureau of Animal Industry. The tuberculin testing of herds producing selected milk pasteurized or selected cream pasteurized shall not be required prior to January 1, 1919, but such herds shall be regularly subjected to physical examination for tuberculosis prior to that date. Examination of the cattle and premises shall be made as often as may be required by the commissioner of health, and at least semiannually; and



all animals found to be diseased shall be immediately removed from possible contact with the dairy herd, and if the nature of the disease is such as to justify it, the owner may be required to disinfect the premises in accordance with the rules and regulations of the United States Bureau of Animal Industry.

RULE 2. All persons employed in or about the barns or milk house, or who in any manner come in contact with the milk on the farms on which such milk or cream is produced, or in any place where such milk or cream is exposed or placed in any containers, shall be examined for communicable diseases as often as may be required by the commissioner of health.

RULE 3. This milk shall contain not more than 200,000 bacteria per cubic centimeter before pasteurization, nor more than 30,000 bacteria per cubic centimeter after pasteurization, prior to delivery.

RULE 4. This milk and cream shall be distributed only by a person, firm, or corporation having a permit issued by the commissioner of health for the sale of selected milk pasteurized and selected cream pasteurized.

RULE 5. The building and the pasteurizing and bottling apparatus and appliances used for the pasteurizing, handling, storing, or bottling of selected milk pasteurized or selected cream pasteurized shall not be used for the pasteurizing, handling, storing, or bottling of any milk or cream not conforming to all requirements for the sale of selected milk pasteurized and selected cream pasteurized: *Provided, however,* That the commissioner of health may permit the pasteurization, handling, bottling, and storage in the same building and with the same apparatus and appliances of selected milk pasteurized and selected cream pasteurized and standard milk pasteurized and standard cream pasteurized and below standard milk or cream when, in his opinion, the complete and continued separation of the different classes of milk and cream is assured.

#### BELOW STANDARD MILK AND CREAM.

59-F. Milk or cream which for any reason is below the requirements for standard milk pasteurized or standard cream pasteurized shall be known as below standard milk or cream, and such milk or cream may be kept, offered for sale, sold, delivered, or used in the city of Baltimore only by authority of the commissioner of health, and only for such purposes and in accordance with such restrictions and regulations as may be prescribed by him.

If the commissioner of health shall authorize any such milk or cream to be kept, sold, delivered, or used for human food or for the manufacture of food products, the same shall be pasteurized and handled in the manner set forth in section 59-A hereof, and the commissioner of health may require that such milk or cream shall be heated, in the process of pasteurization, to such temperature, higher than that required by said section 59-A, as he may prescribe.

If the commissioner of health shall authorize any such milk or cream to be kept, sold, delivered, or used for any purpose other than for human food, or the manufacture of food products, he shall require that such milk or cream be discolored or denatured in such manner as he may prescribe, to the end that the sale or use thereof for human food or in the manufacture of food products may be prevented.

Containers of such milk or cream shall be labeled below standard milk or below standard cream, as required by section 59-C hereof, or with such other mark or marks as the commissioner of health may require.

*Provided,* That the commissioner of health shall not permit the sale of milk or cream below the requirements for standard milk pasteurized or standard cream pasteurized for ordinary domestic consumption, except under general

regulations applicable to all milk coming under the standard prescribed in such regulations.

59-G. The bacterial counts required in this ordinance, or which may be required in any regulation of the commissioner of health issued in pursuance of this ordinance, shall be determined by the taking of not less than five consecutive bacterial counts, taken over a period of not less than one week nor more than one month, and the result of at least 80 per cent of such tests agreeing in conformity or lack of conformity with the requirements of this ordinance or of such regulation of the commissioner of health shall determine the rating or grade of the milk or cream respectively as to the matters so tested of the dairy, dairy farm, or milk plant from which such samples come and of the milk and cream produced, handled, or sold therein or therefrom.

#### DAIRY FARM PERMITS.

59-H. No person shall bring or send into the city of Baltimore for sale any milk or cream without a dairy farm permit from the commissioner of health so to do. Application for said permit shall be made in writing upon a form prescribed by said commissioner, and shall be accompanied by such detailed description of the dairy farm or dairy where said milk or cream is produced or stored as said commissioner may require. The filing of the application for a dairy farm permit shall be sufficient authority for the shipment of milk or cream until such time as the commissioner of health shall have had the dairy herd and premises of the applicant inspected and shall have issued a dairy farm permit to such applicant, or shall have notified the applicant that such permit will not be issued, after which the applicant shall cease to send milk or cream into the city of Baltimore. The dairy farm permit may be revoked at any time by the commissioner of health for failure to comply with the requirements of this ordinance or with any rules or regulations that may be issued by the commissioner of health in accordance with power conferred upon him by law or ordinance. Dairy farm permits shall expire one year from the date of issue. No dealer, person, or corporation shall receive, sell, offer for sale, expose for sale, dispose of, or exchange in the city of Baltimore without the written permission of the commissioner of health milk or cream which has been produced on any premises for which a dairy farm permit has not been issued or applied for.

59-I. No person shall offer for sale, sell, give, furnish, exchange, or deliver in the city of Baltimore any milk or milk product from any cow or cows fed either in whole or in part upon swill, wet distillery waste, starch waste, or any substance or mixture to which swill, wet distillery waste, or starch waste has been added, or upon any cannery refuse, unless the feeding of said cannery refuse shall be specifically permitted by the written permit of the health commissioner of Baltimore City, which said permit shall be good only for the season when issued and which said permit may be revoked in the discretion of the said commissioner: *Provided, however,* That nothing herein contained shall be construed as affecting, nor as prohibiting, nor authorizing the prohibition of, the offering for sale, selling, giving, furnishing, exchanging, or delivering in the city of Baltimore any milk or milk product, because the same is a product from any cow or cows fed upon what is commonly known as brewers' spent grain.

59-J. The commissioner of health shall have power to adopt such regulations as he may deem proper and necessary to insure that all condensed milk, condensed cream, evaporated milk, evaporated cream, or other milk or cream

products in Baltimore City be produced, stored, kept, distributed, retailed, and delivered under conditions rendering them suitable for consumption as human food and rendering impossible the sale of any such products as fresh milk or cream.

59-K. Any person or persons who violate, disobey, neglect, or refuse to comply with any of the provisions of sections 59, 59-A, 59-B, 59-C, 59-D, 59-E, 59-F, 59-G, 59-H, 59-I, or 59-J of this article (as ordained by this ordinance) shall be fined not less than \$20, nor more than \$100, for each offense, and the milk or food products in the possession of any person or persons so violating, disobeying, refusing, or neglecting to comply with the provisions of this ordinance may be confiscated, destroyed, or denatured by the commissioner of health or any inspector or other representative of the health department of the city of Baltimore who examines the same.

SEC. 6. That this ordinance shall take effect five months after the date of its passage.

### BUFFALO, N. Y.

#### Milk and Milk Products—Sale—Grades of Milk and Cream—Pasteurization. (Ord. Oct. 9, 1918.)

That section 87 of chapter 25 of the ordinances of the city of Buffalo be, and the same is, amended hereby to read as follows:

SEC. 87. 1. No person, firm, or corporation shall ship into the city of Buffalo, sell, or offer for sale in said city, any unclean, impure, unwholesome, watered, or adulterated milk or milk product, or any milk or milk product from diseased cows or from cows which are kept in an insanitary manner, or which are fed on any substance which has a tendency to render their milk unsafe for human consumption, or any milk which has been contaminated in any manner which renders it unsafe for such purpose.

2. No milk or milk product shall be brought into the city of Buffalo, sold, nor kept for sale in said city, which at any time, either before or after pasteurization, has been placed in any unclean or insanitary container or receptacle.

3. Every person, firm, or corporation shipping into, selling, or offering for sale in the city of Buffalo any milk or milk product shall upon notice from the health commissioner of said city submit to him satisfactory evidence that the milk or milk products so shipped or handled comply with the requirements of this section, and until such evidence is submitted to him and he has had the opportunity to verify said evidence the health commissioner is hereby empowered to prohibit any further shipments or sales of milk or milk products by said person, firm, or corporation. The shipping of any milk or milk product into the city of Buffalo, or the sale or offering for sale thereof in said city, by any person, firm, or corporation, after the service of the notice above mentioned, without the approval of the health commissioner, is a violation of this section.

4. No milk or milk product which by the provisions of this section is forbidden to be sold or kept for sale in the city of Buffalo shall be removed from said city without the consent of the health commissioner in writing. No such milk or milk product shall be disposed of in the city of Buffalo in any manner or for any purpose except with the approval of the health commissioner.

5. Pasteurized milk and cream is milk and cream which has been heated to a temperature of not less than 142° F. nor more than 147° F. for a period of not less than 30 consecutive minutes and immediately thereafter cooled to and kept at a temperature of 50° F. or less.

6. No term shall be used to designate the grade or quality of milk or cream which is sold or offered for sale in the city of Buffalo, except "certified," "grade A pasteurized," "grade B pasteurized."

7. *Certified milk.*—No milk shall be sold or offered for sale in the city of Buffalo as certified milk which does not conform to the regulations prescribed by and bear the certification of a milk commission appointed by a county medical society organized and chartered by the Medical Society of the State of New York and which has not been pronounced by such authority to be free from antiseptics, added preservatives, and pathogenic bacteria or bacteria in excess of 10,000 per cubic centimeter. All milk sold as certified milk shall be conspicuously marked with the name of the commission certifying it, the name and address of the producer, and the date on which said milk was drawn from the cows.

8. *Grade A pasteurized.*—No milk or cream shall be sold or offered for sale in the city of Buffalo as grade A pasteurized unless it conforms to the following requirements, viz: Such milk or cream, before pasteurization, must not contain more than 200,000 bacteria per cubic centimeter, and such milk must not at any time after pasteurization, to and including the time of delivery to the consumer, contain more than 30,000 bacteria per cubic centimeter, and such cream shall not contain more than 150,000 bacteria per cubic centimeter after pasteurization to and including the time of delivery to the consumer. Such milk and cream must be delivered to the consumer within 36 hours after pasteurization and may be delivered to consumers only in containers sealed at the pasteurization plant. The cap or tag on said container shall be white and contain the term "grade A pasteurized" in large black type, with the name and address of the dealer making delivery to the consumer.

9. *Grade B pasteurized.*—No milk or cream shall be sold or offered for sale in the city of Buffalo as grade B pasteurized unless it conforms to the following requirements, viz: Such milk before pasteurization must not contain more than 500,000 bacteria per cubic centimeter and such cream not more than 1,500,000 bacteria per cubic centimeter. Such milk must not at any time after pasteurization, to and including the time of delivery to the consumer, contain more than 100,000 bacteria per cubic centimeter and such cream not more than 300,000 bacteria per cubic centimeter. Such milk and cream must be delivered to the consumer within 36 hours after pasteurization. The cap or tag on the container must be white and contain the term "grade B pasteurized" in large, bright green type, together with the name and address of the dealer making the delivery to the consumer.

10. Whenever in an emergency caused by the breaking of the pasteurizing apparatus or other unforeseen circumstances, it is temporarily impossible for a dealer or handler of milk to comply strictly with the provisions of this section requiring pasteurization, the health commissioner, if he is satisfied that the public health will not be endangered thereby, shall have power to suspend temporarily said requirements under such terms and conditions as he shall from time to time impose.

11. Any person, firm, or corporation violating any of the provisions of this section shall be liable to a penalty or fine of not more than \$250 for each and every offense. Any penalty specified in this section may be recovered by the city of Buffalo in a civil action, or, upon conviction in a court of criminal jurisdiction, a person shall be subject to the fine herein mentioned. In case any person does not immediately pay the penalty or fine imposed he may be committed to the Erie County Penitentiary for the term of one day for each and every dollar of such penalty or fine not paid.



## DULUTH, MINN.

**Pasteurized Milk and Cream—Production, Handling, and Sale. (Ord. 926, July 11, 1917.)**

That the ordinance entitled "An ordinance to provide for the inspection of milk dairies and dairy herds, and to license and regulate the sale and disposal of milk in the city of Duluth," passed December 5, 1904, and published December 9, 1904, be amended as follows:

**PASTEURIZED MILK.**

No milk or cream shall be sold or offered for sale as "pasteurized" milk unless it conforms to the following requirements:

**SECTION 1. Permits.**—No person shall engage in the handling of milk for shipment into the city of Duluth until he has obtained a permit therefor from the director of public health. This permit shall be renewed on or before the 1st day of May of each year and may be suspended or revoked at any time for cause.

The dealer selling or delivering such milk or cream must hold a license from the city of Duluth.

**SEC. 2.** All cows producing such milk or cream must be healthy, as disclosed by a physical examination.

Such milk or cream before pasteurization must not contain more than 800,000 bacteria per cubic centimeter.

Such milk must not at any time after pasteurization and previous to delivery to the consumer contain more than 50,000 bacteria per cubic centimeter, and such cream not more than 400,000 bacteria per cubic centimeter.

[No section 3.]

**SEC. 4.** Such milk and cream must be produced on premises which are scored on the score card authorized by the Bureau of Animal Industry of the United States Department of Agriculture not less than 20 per cent for equipment and not less than 35 per cent for methods. Total, 55 per cent.

**SEC. 5.** Such milk and cream must be delivered to consumer only in containers sealed at the pasteurizing plants.

The caps or tags must be white and contain the term "pasteurized" in large, bright green type and the name and address of the dealer.

**SEC. 6. Pasteurization.**—All containers in which pasteurized milk or cream is delivered shall be plainly labeled "Pasteurized." Labels must state the place where pasteurization was performed and the name of the person, firm, or corporation offering for sale, selling, and delivering same.

No milk or cream shall be sold or offered for sale as pasteurized unless it has been subjected to a temperature averaging 145° F. for not less than 30 minutes, and no milk or cream which has been heated by any methods shall be sold or offered for sale unless the heating conforms to the provisions of this regulation.

The milk or cream after pasteurization shall be at once cooled to a temperature of 50° F. or less and placed in clean containers and the containers immediately closed.

Licenses or permits shall not be granted to pasteurize milk or cream unless all forms of apparatus connected with said pasteurizing plants have been approved by the health department.

No milk or cream shall be pasteurized more than once.

Each plant for the pasteurization of milk or cream shall be equipped with suitable automatic time and temperature recording devices, indicating to what temperature the milk and cream has been heated and the length of time it was subjected to such heat, as well as the time when such record was made.



SEC. 7. (a) All pasteurizing plants shall be located at least 100 feet from any hog pen, manure pile, privy vault, or other source of contamination.

(b) The water used for washing bottles and utensils shall be obtained from a source subject to the approval of the health department.

(c) Every privy vault located on any premises where milk is bottled shall be so constructed that the contents shall be inaccessible to flies, and every such privy vault shall be kept at all times in a sanitary condition.

(d) The floors in the bottling and washing room shall be water-tight constructed of cement, concrete, or other nonabsorbent material and properly drained to a point or points at which drainage is disposed of. The walls and ceilings shall be smooth and kept well painted.

(e) Bottling and washing rooms shall be well lighted and ventilated.

(f) All rooms where milk and cream are handled shall be thoroughly screened against flies.

(g) Nonemployees shall be excluded at all times from bottling and washing rooms, except inspectors or others authorized by health department.

(h) Adequate lavatory facilities for employees shall be provided in separate and distinct rooms from apparatus used for handling of milk or treatment of milk utensils.

All employees engaged in bottling and washing rooms shall, before beginning work and after visiting the toilet, wash their hands thoroughly with clear water and soap.

(i) No bottling or washing room shall be used as a living or sleeping room or be directly connected with such room or be used for any purpose other than the storage or handling of milk and milk utensils.

(f) No person affected with any communicable disease shall be employed in any milk-bottling establishment, and no member of the family or household of any such person shall be so employed unless upon permission of the health department.

(k) Bottle caps shall be kept in a clean, dust-proof container.

(l) Bottling and washing room and all parts thereof shall be kept clean and free from offensive odors, dirt, dust, rubbish, clothing, and all articles not used in the handling of milk, and domestic animals shall not be permitted in such rooms.

(m) All milk utensils and apparatus shall be of such construction as to be readily cleansed and shall be kept in good repair at all times.

(n) All utensils, tanks, and sanitary piping shall be thoroughly sterilized at least once daily.

(o) No spitting or smoking shall be permitted in bottling and washing rooms.

SEC. 8. *Milk and cream to be bottled and kept under sanitary conditions.*—No milk or cream shall be sold or offered for sale in bottles unless the bottling is done under clean and sanitary conditions at the place of production or at properly equipped milk plant.

SEC. 9. *Ice cream.*—Ice cream shall not be sold or offered for sale that has been produced under insanitary conditions. It shall be made to conform with the pure food laws of the State of Minnesota. Ice cream sold or offered for sale shall not contain more than 750,000 bacteria per cubic centimeter.

SEC. 10. *Revocation.*—In any case where a license has been granted to any person, firm, or corporation, and it shall thereafter appear to the satisfaction of the council that the holder of such license has violated any of the provisions of this ordinance, the council may revoke the said license.

SEC. 11. *Penalty.*—Any person, firm, or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and on conviction

thereof shall be punished by a fine of not more than \$100 or by imprisonment for not more than 85 days.

SEC. 12. *Repeal.*—All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed.

SEC. 13. *When to take effect.*—This ordinance shall take effect and be in force six months from its passage and publication.

### MINNEAPOLIS, MINN.

#### Milk and Milk Products—Production, Handling, and Sale. (Ord. Apr. 23, 1917.)

SECTION 1. *Definition of terms.*—The word "person," as used in this ordinance, shall include any and all individuals, firms, associations, and corporations. The word "milk" shall include milk, cream, skim milk, buttermilk, and other liquid products intended for human consumption, but shall not include condensed milk sold in hermetically sealed cans. The words "sell" and "sale" shall include all transactions of a mercantile character. "c. c." shall mean and stand for cubic centimeter.

SEC. 2. *License and inspection.*—No person shall sell milk to consumers or for manufacturing purposes within the city of Minneapolis without first obtaining a license therefor as herein provided. Any person holding a city license to sell foods or to conduct a restaurant, hotel, or public eating house shall conform to the requirements of this ordinance in the handling and sale of milk, but shall not be required to take out a second city license.

SEC. 3. Any person desiring such a license to sell milk in the city of Minneapolis, shall file with the commissioner of health a written application to the city council for such license. The application shall state in full:

- (a) Name and place of business of the applicant.
- (b) Name of the owner and location of each dairy and dairy herd and pasteurizing plant from which milk is to be obtained.
- (c) Number of cows in each herd from which milk is obtained.
- (d) Nature of milk business to be conducted as defined below: 1. Milk producer—a person who sells and delivers to the consumer milk produced at his own dairy. 2. Milk distributor—a person who sells and delivers to the consumer milk produced by other persons. 3. Operator of a pasteurizing plant—a person who pasteurizes and sells milk.
- (e) Class of milk to be sold.

(f) Kind of each vehicle to be used in delivering milk and the number by which it is designated.

If raw milk is to be sold, the veterinary surgeon's certificate prescribed in section 4 shall be filed with the application for a license.

SEC. 4. Every applicant to sell raw milk shall submit his application with a certificate showing that his dairy herd or herds have been given the tuberculin test within six months by a graduate veterinarian approved by the State livestock sanitary board and according to the regulations for that test prescribed by the board, which are as follows:

"The veterinarian making the test shall take not less than three temperatures before injection at intervals of not less than four hours, the first of these to be preferably a forenoon temperature, and at least eight hours before injection.

"The temperature after injection shall be taken at intervals of not less than two hours nor more than three hours, beginning not later than the eleventh hour after injection, continuing to at least the twentieth hour. Later tempera-

tures shall be taken in cases of animals showing suspicious rise at the eighteenth and twentieth hours.

"The veterinarian applying the test must personally take all temperatures and make the injection of tuberculin.

"Tuberculin tests differing materially from this shall not be accepted by the board."

It is necessary that the following certificate be made out, otherwise tests will not be accepted:

I hereby certify that I personally took the temperatures at the following hours before injecting tuberculin-----I injected the tuberculin at----- (hours)----- and took temperature at the following hours, after injecting tuberculin----- (hours)-----

I further certify that the within record is a true and faithful showing of the test as made.

Veterinarian.

Subscribed and sworn to before me.

Notary.

After such inspection, examination, and test of such cattle and dairy herds as herein provided every animal so examined and tested shall be tagged by the person making such examination and test with a tag duly numbered and of such character as to afford a permanent record of such examination and test and the results of the same as regards the presence or absence of tuberculosis.

Those which have been tested and found free of tuberculosis and are registered on the State accredited tuberculosis-free herds list of the State live-stock sanitary board may not be tagged.

After the removal of any tubercular animal from a dairy the premises shall be disinfected in a manner approved by the Minneapolis Department of Health.

The applicant for license to sell raw milk shall make affidavit on his application that he has permanently removed from his dairy herd or herds all animals which were condemned by the veterinarian making the test and shall sign an agreement that he will not add any cows to his herd until they have been tested for tuberculosis and found to be free from it. All tuberculin, stationery, and tags necessary for the test shall be furnished by the department of health.

SEC. 5. The commissioner of health shall present the application to the city council, together with a report as to whether the applicant has complied with the requirements of this ordinance and is a fit and proper person to receive a license. When authorized by the city council and on the applicant's presenting a receipt from the city treasurer showing the payment of the license fee as prescribed in section 6 the commissioner of health shall issue to the applicant a license to sell milk. The license shall state the name and place of business of the licensee, the nature of business to be conducted, the class of milk to be sold, and the date of last inspection by the health department. All licenses issued under this ordinance shall be for not more than one year and shall expire the first Monday in May unless sooner revoked. No license shall be sold or transferred.

SEC. 6. The license fee shall be \$1 for each wagon or other vehicle used in delivering. The minimum fee for a license shall be \$1.

SEC. 7. The commissioner of health shall furnish each licensee at cost with two metal plates for each vehicle used for delivering milk, stating the name of the city, the license number, and the year when the license expires. The licensee shall at all times keep the two metal plates on each vehicle, one on

each outer side. The licensee shall at all times keep his license conspicuously posted at his place of business.

SEC. 8. It shall be the duty of the health commissioner to cause to be inspected all dairies, pasteurizing plants, and other places where milk intended for sale in the city of Minneapolis is produced or handled for the purpose of determining whether such places are equipped and operated in a proper manner for producing and handling milk. Refusal to permit such inspection on the part of the owner or person in charge shall be sufficient cause for excluding from sale in the city of Minneapolis milk produced or handled in such places. The place of business of each licensee under this ordinance shall be inspected at least once in every 12 months.

SEC. 9. Inspectors shall have authority to take samples of milk from any vehicle used in transporting milk, or from any place where milk intended for sale in Minneapolis is produced or handled. Receipts shall be given for all samples taken. A second bottle of the same grade shall, on request, be sealed by the inspector and left with the driver or person in charge. Inspectors shall take samples of the milk sold by each licensee under this ordinance at least once in every three months.

SEC. 10. Inspectors shall have authority to condemn and denature or destroy milk intended for sale in the city of Minneapolis which has not been produced and handled in accordance with the provisions of this ordinance. Milk found in the possession of any producer, dealer, or pasteurizing plant licensed to sell milk in Minneapolis shall be considered as intended for sale in Minneapolis.

SEC. 11. *Protection against communicable diseases.*—No person with a communicable disease, including tuberculosis and venereal diseases, and no persons properly diagnosed as "disease carriers," shall handle or come in contact in any way with the milk or the milk apparatus and utensils used in the production and handling of milk. No person suffering from acute tonsillitis shall be permitted to handle milk which is to be sold or to come in contact with the utensils used in its production and handling.

SEC. 12. The existence of any communicable disease or suspected communicable disease among the persons at any dairy, pasteurizing plant, or other place where milk is handled shall be reported to the Minneapolis Department of Health by the person in charge.

SEC. 13. All persons engaged in handling milk who have been in recent contact with a case of communicable disease shall not continue work until they have received the permission of the Minneapolis Department of Health or the State board of health.

SEC. 14. Any person amenable to this ordinance by residence or license who knows of any unreported case of communicable disease or a case where quarantine or any other measure prescribed for the protection of the public health is not properly observed at any dairy, pasteurizing plant, or other place where milk is handled shall report it to the Minneapolis Department of Health.

SEC. 15. *Standards, classes, and labels.*—Milk sold in the city of Minneapolis shall be the fresh, clean, normal lacteal product from healthy cows outside the period of 15 days before and 5 days after calving. It shall be free from pathogenic bacteria, objectionable odor, flavor, and color and shall contain not more than 0.2 per cent acidity. It shall contain not less than 3.50 per cent of natural milk fats, not less than 8.25 per cent of milk solids not fat, and not less than 11.75 per cent total milk solids. Its specific gravity shall be not less than 1.030 at 60° F. It shall contain no added substance except normal equally pure milk or cream.

SEC. 16. All milk sold as "milk" in the city of Minneapolis shall be of one of the following classes: Certified, raw, pasteurized.



SEC. 17. *Certified, raw, pasteurized.*—Certified milk shall be milk produced and handled in accordance with the regulations of the State board of health and the contracts of the Hennepin County Medical Milk Commission, and shall answer all the requirements of this ordinance concerning raw milk. It shall, in addition, contain not more than 10,000 bacteria per cubic centimeter when delivered to the consumer and shall come from dairies scoring not less than 55 in methods and not less than 35 on equipment on the health department dairy score card.

SEC. 18. Raw milk shall be from tuberculin-tested and nonreacting cows. It shall not contain more than 200,000 bacteria per cubic centimeter when delivered to the consumer. It shall come from dairies and bottling plants each of which score not less than 70 points on the department of health dairy score card; 45 points of this score shall be on the method and 25 points on the equipment. It shall conform to the standards specified in section 15 and to all the other regulations on milk production and handling contained in this ordinance, excepting that of pasteurizing.

SEC. 19. Pasteurized milk shall be milk whose bacteria count before pasteurization was not more than 2,000,000 bacteria per cubic centimeter. And after pasteurization the count shall not exceed 50,000 bacteria per cubic centimeter when delivered to the consumer. It shall come from pasteurizing and bottling plants, each of which score not less than 75 points on the department of health milk plant score card. The milk shall come from clean dairies which score not less than 60 points on the department of health dairy score card. It shall otherwise conform to the standards specified in section 15 and to all the other regulations on production, handling, and pasteurization contained in this ordinance.

SEC. 20. Any person desiring to produce, sell, or offer for sale a better grade of milk, either raw or pasteurized, than specified in sections 15, 18, and 19, may obtain a special permit granted by the department of health and approved by the city council. The true minimum fat and solid contents and maximum bacteria count must be registered with the department of health and the cap of the bottle must bear only such words or design indicating the quality of the article contained as are approved by the health department. Said milk shall conform in all respects to the provisions of this ordinance. No dealer shall have but one such permit.

SEC. 21. Milk which in quality falls below the standards set by the ordinance shall be sold or disposed of for manufacturing purposes only, and under the direction of the commissioner of health, and his attention must be called to any such milk by any milk dealer, who knowingly handles the same.

SEC. 22. "Cream" is hereby defined as that portion of milk which, rich in natural milk fats, rises to the surface or is removed by centrifugal force. If it is sold as "raw cream," it shall have been produced by tuberculin-tested and nonreacting cows, and contain not more than 1,000,000 bacteria per cubic centimeter. If sold as "pasteurized cream," it shall have been pasteurized according to the provisions of this ordinance. It shall have a bacteria count not exceeding 500,000 per cubic centimeter at time of delivery to consumer. Raw and pasteurized cream shall contain not less than 20 per cent of milk fat. Cream of higher fat content offered for sale as such must be labeled with its true percentage of fat.

SEC. 23. Milk sold as "raw skim milk" or "pasteurized skim milk" shall have been produced by removal of fat from milk of one of the classes listed in section 16. It shall contain not less than 8.25 per cent of solids not fat, and not over 1 per cent of fat. If sold as "pasteurized skim milk," it shall have been pasteurized according to the provisions of this ordinance.



SEC. 24. Milk, cream, whey, or curds used in the preparation of (1) sour milk, sour cream, or buttermilk, (2) homogenized milk, milk made from milk powder, or factitious milk however made, (3) matzoon or koumys and all similar milk products shall be produced and handled and the product prepared under the sanitary conditions prescribed in this ordinance.

SEC. 25. Fermented milk beverages shall contain not less than 8 per cent total milk solids, whether sold as buttermilk or under a trade or copyrighted name.

SEC. 26. The mixing or blending different lots of milk, cream, or skim milk which conform to the standards established by this ordinance for the purpose of standardizing the butter fat content is not prohibited.

SEC. 27. Each bottle of milk shall be labeled on the cap so as to show (1) the kind of milk, i. e., milk, cream, skim milk, buttermilk, matzoon, etc.; (2) the class, i. e., certified, raw, or pasteurized; (3) the milk fat content; (4) the day of intended sale, which shall be not more than 24 hours later than the time of bottling; and (5) the name of the person or firm responsible for bottling the milk. The printing shall be on white or light manila ground in capital letters not less than one-eighth of an inch high (upper-case 12 point). The kind of milk shall be printed in the center of the label and shall be in letters larger than any other used thereon. In the case of milk products permitted under section 24, the name which appears in the center of the label as the kind of milk shall be the most common name of the product and the word "milk," if used, shall be in smaller type. If any milk offered for sale contains milk powder, the words "Contains milk powder" shall appear on the cap or label.

SEC. 28. All other containers used in delivering milk to consumers or for manufacturing purposes shall be labeled as prescribed in section 27 on a tag.

SEC. 29. Containers used in delivering milk to pasteurizing plants shall be labeled on a printed tag so as to show (1) kind of milk, i. e., milk, cream, skim milk, or milk product; (2) the words "to be pasteurized"; and (3) name and post-office address of the shipper. The name and address of the consignee shall be written or stamped on the tag.

SEC. 30. Milk or cream shall be deemed to be misbranded when the cap, label, or tag attached to the container shall have any design, mark, or device regarding the milk or cream so contained in such package otherwise than provided for by this ordinance, or when the contents of the container do not apply with the brand on the cap, tag, or label.

SEC. 31. No person shall sell milk in any container or receptacle used in the sale or distribution of milk bearing a name, mark, or device not his own without the written consent of the person whose name, mark, or device appears on the container or receptacle. No person shall buy, sell, give, take, dispose of in any way, or traffic in any container or receptacle used in the sale or distribution of milk bearing the name, mark, or device of another person. The requiring or taking of any deposit and the redemption for any purpose of such container or receptacle shall not be deemed nor held to be a sale. Any person having in possession or under control any container or receptacle used in the sale or distribution of milk bearing the name, mark, or device of another person shall, upon demand by the person whose name, mark, or device appears thereon, deliver such container or receptacle to him or his authorized agent.

SEC. 32. It shall be the duty of the health commissioner to post a bulletin as often as once each month in the health department headquarters or by other means make a public report monthly of the butter-fat content and of the number of bacteria found during the last preceding month in the milk sold by each person licensed to sell milk under this ordinance.

SEC. 33. *Production of milk.*—No milk shall be sold in the city of Minneapolis which contains visible dirt or pathogenic bacteria, or which has an unnatural odor or appearance, or which is produced from diseased cows, or from cows within 15 days before or 5 days after calving, or from cows kept in an unclean or insanitary condition, or from cows fed on any unwholesome food or impure water. The inspector shall within his jurisdiction condemn any impure food kept for the purpose of feeding cows.

SEC. 34. No raw milk shall be sold within the city of Minneapolis except from cows which are free from tuberculosis.

SEC. 35. It shall be the duty of any person having charge of any premises upon which cows are kept to isolate any cow or cows affected by communicable disease or which he may have reason to believe are so affected and to exercise such other precautions as may be directed by the commissioner of health.

SEC. 36. All animals with retained afterbirth or mastitis shall be removed from the dairy herd until such time as they have made a complete recovery.

SEC. 37. No building shall be used for stabling cows for the production of milk to be sold in Minneapolis unless it is in good repair and the ceiling tight and dust proof. The interior shall be whitewashed every six months, unless the construction renders whitewashing unnecessary.

SEC. 38. The floor shall be water-tight and so graded as to permit prompt drainage to one or more points of discharge. No animal other than milch cows shall be kept in any place where milk is produced or handled.

SEC. 39. Cow stables shall contain not less than 400 cubic feet of air space for each cow nor less than 3 square feet of window area per cow, distributed so as to meet the approval of the Minneapolis Department of Health.

SEC. 40. Cow manure shall be removed from cow stables twice daily. Cellings, walls, and ledges in the cow stables shall be kept clean and windows shall be washed at least twice each year. Horse manure shall not be used in a cow stable for any purpose.

SEC. 41. Cows shall be kept clean at all times. Before milking the teats, udders, and flanks shall be carefully cleaned. Milking shall be done with clean, dry hands or a machine which has been sterilized before use. Receptacles into which milk is drawn from the cows shall have small tops, so as to exclude dirt and foreign substances from the milk.

SEC. 42. Milk as soon as it is drawn shall be strained from the pail, removed immediately from the stable, and cooled at once to a temperature between 34° and 50° F. Milk which is to be sold raw shall be kept at a temperature between 34° and 50° F. until delivered to the consumer.

SEC. 43. Barnyards shall be well drained and kept in such condition that the cows' udders, teats, or flanks can not become defiled. No drain shall discharge within 50 feet of the milk room.

SEC. 44. The well or other water supply shall be so located, arranged, and constructed that it can not become contaminated by drainage from any source.

SEC. 45. Suitable toilet facilities shall be provided. No water-closet, privy, cesspool, urinal, or inhabited room shall be located within any cow stable, milk room, or other place where milk is handled. Water-closets and privies shall be screened from May 1 to November 1 so as to exclude flies from both building and vault.

SEC. 46. All persons while milking or handling milk shall wear clean washable outer garments. The use of tobacco, snuff, or intoxicants during the process of milking or in the milk room is prohibited.

SEC. 47. Each dairy shall have a milk room which has no direct connection with any stable or dwelling room and which shall be used solely for cooling,

separating, bottling, and storing milk and the operations incident thereto. No milk shall be bottled at the dairy except in the milk room.

SEC. 48. Milk rooms shall have sufficient sunlight and such artificial light as the department of health may require. Adequate ventilation shall be provided.

SEC. 49. Ceilings and walls shall be painted or whitewashed unless the construction renders it unnecessary. Milk-room floors shall be of cement or other material impervious to water. They shall be water-tight and so graded that all drainage will flow toward one or more points of discharge. Milk rooms shall be kept clean and sanitary within and without. They shall be well screened from May 1 to November 1 and shall be kept free from flies and offensive odors.

SEC. 50. Milk rooms shall be provided with a steam sterilizing device approved by the department of health. All utensils and containers shall be thoroughly sterilized with live steam before each use.

SEC. 51. Each milk room shall contain a cooling tank which shall be drained and thoroughly cleaned at least once a week and oftener if necessary to keep it clean and sanitary.

SEC. 52. Surface coolers, unless located in a room used only for cooling milk, shall be protected by suitable metal covers.

SEC. 53. Caps for bottles shall be purchased in sterilized containers and shall remain protected from contamination until used.

SEC. 54. The apparatus or device used in bottling milk or capping milk bottles must be so constructed that the milk and caps used in the process will not come in contact with human hands. The apparatus or device shall be subject to the approval of the department of health.

SEC. 55. No cats, dogs, or other animals shall be permitted in the milk room or rooms where milk is stored or handled.

SEC. 56. *Handling and distribution of milk.*—No transportation company shall be permitted to bring milk into the city of Minneapolis unless it maintains at the points at which the milk is received for shipment covered structures so constructed so as to protect the milk cans from sun and weather.

SEC. 57. Motor or horse vehicles bringing milk into the city shall have covers so constructed and of such materials that the covers shall not contaminate the milk.

SEC. 58. Milk delivery wagons shall be kept clean.

SEC. 59. Milk which is to be pasteurized shall be kept at a temperature between 34° and 55° F. from the time it is first cooled until it is pasteurized.

SEC. 60. Milk which is to be delivered to consumers shall be kept at a temperature between 34° and 50° F. from the time it is bottled or canned until it is delivered to the consumer.

SEC. 61. All milk intended for delivery to consumers shall be bottled except in case of consumers receiving 2½ gallons or more at one delivery, in which case it may be delivered in sealed cans which have been sealed at the dairy or pasteurizing plants. All milk intended for service to patrons of restaurants, hotels, hospitals, schools, boarding houses, and other public eating places shall be served in the bottles filled at the dairy or pasteurizing plants.

SEC. 62. Milk intended for pasteurization shall be brought to the pasteurizing plant in sealed cans which have been filled and sealed at the dairy or collecting point.

SEC. 63. Cream which is to be served to patrons of restaurants, hotels, hospitals, schools, boarding houses, and other public eating places, may be served to their said patrons in said places in other containers than those in which the cream was delivered.

SEC. 64. Milk intended for sale in Minneapolis shall be placed in sterile bottles or cans at the dairy or pasteurizing plant except that milk which is to be pasteurized may be placed in such sterile cans at the point at which it is collected for shipping.

SEC. 65. Milk or cream in bottles or cans shall not be immersed in water or given water bath so that the caps or covers come in contact with the water. The water used for cooling milk and cream shall be clean, and cans and bottles containing milk shall not be placed in the same water bath.

SEC. 66. Milk shall not be bottled or changed from its container on any delivery wagon or at any place other than the milk house at the dairy, or at the pasteurizing plant.

SEC. 67. No driver on the route or any unauthorized person shall have in his possession or use any caps for milk bottles.

SEC. 68. Milk bottles, milk caps, or other receptacles for milk shall not be used for any purpose other than containing milk. Milk bottles and cans shall be thoroughly rinsed with clean water immediately after being emptied.

SEC. 69. No milk cans or other milk containers shall be used which are rusty within or are so constructed as to be difficult to clean. Such containers shall be condemned and stamped as the department of health may require.

SEC. 70. No dirty or unwashed bottles shall be returned to a delivery man or store. Milk delivery men and stores are forbidden to receive or have in their possession dirty or unwashed milk bottles or cans.

SEC. 71. Milk bottles shall not be removed from any dwelling where communicable disease exists or has existed until permission is given by the department of health, and they shall then be handled as the department prescribes.

SEC. 72. Cans in which milk is delivered to pasteurization plants shall be thoroughly washed, sterilized, dried, and sealed, and closed for transit before they are returned to the shipper or producer.

SEC. 73. Milk tickets shall be used but once.

SEC. 74. *Pasteurization process.*—Pasteurization is hereby defined as a process by which milk is rapidly heated to a temperature of not less than 142° F. and not more than 145° F., then maintained between the temperature of 142° F. and 145° F. for not less than 30 minutes and then cooled immediately to a temperature of not more than 45° F.

SEC. 75. No application for a license to operate a pasteurizing plant shall be recommended by the department of health to the city council for approval or granted by the council unless the applicant's pasteurizing apparatus is such that it will properly perform the process prescribed in section 74, and unless the plant conforms to the requirements of sections 75 to 92, inclusive.

SEC. 76. Each pasteurization plant shall be equipped with an automatic recording thermometer and controller, which shall regulate and register the temperature of the milk as it is pasteurized. The records shall be mailed to the department of health on Monday of each week. The records shall be kept in a locked chamber during the process of pasteurization and until sent to the health department.

SEC. 77. No milk shall be pasteurized a second time.

SEC. 78. *Pasteurizing plant.*—All pasteurization plants shall be constructed so that all rooms in which milk is handled or in which milk apparatus and utensils are washed shall have dust-proof walls and ceilings. Unless constructed of concrete, smooth brick, or tile, walls and ceilings shall be kept sufficiently painted or whitewashed a light color. The floors shall be water-tight and so graded that all drainage will flow to one or more points of drainage.



SEC. 79. All drains in the pasteurization plant shall be properly trapped and drainage when not discharged into city sewers must be drained into cesspools or septic tanks situated at least 50 feet from the building.

SEC. 80. All rooms in which milk is handled and in which milk apparatus and utensils are washed shall be adequately lighted and provided with sufficient ventilation.

SEC. 81. Doors and windows must be screened from May 1 to November 1. Screen doors shall be provided with self-closing devices.

SEC. 82. Suitable toilet facilities must be provided for the use of employees. Locker rooms or toilets shall not open directly into any room in which milk or milk utensils are handled.

SEC. 83. No cats, dogs, or other animals shall be permitted in rooms where milk is handled or stored.

SEC. 84. Rooms used for pasteurizing, cooling, bottling, and storing milk shall not be used for other purposes.

SEC. 85. An adequate supply of pure water shall be provided.

SEC. 86. All weigh cans, storage vats, mixing vats, and other apparatus shall be constructed of tinned copper or other suitable material, and all angle joints shall be smoothly soldered. They shall be provided with closely fitting metal covers.

SEC. 87. All milk pipes and pumps shall be of sanitary construction and so arranged that they may be easily opened or taken apart for cleaning. The use of tightly closed elbow joints is prohibited. Water and steam pipes shall be kept clean and free from dirt and rust.

SEC. 88. Surface coolers, unless located in a room used only for cooling milk, shall be protected by suitable metal or glass covers.

SEC. 89. Caps for bottles shall be purchased in sterilized containers and remain protected from contamination until used.

SEC. 90. The apparatus or device used in bottling milk or capping milk bottles must be so constructed that the milk and caps used in the process will not come in contact with human hands. The apparatus or device shall be subject to the approval of the department of health.

SEC. 91. The rooms in which milk is handled and the surrounding premises shall be maintained in a clean and sanitary condition.

SEC. 92. Suitable facilities shall be provided for washing and sterilizing all apparatus, bottles, cans, and utensils, and they shall be cleaned and sterilized with live steam before each use. Pasteurizing apparatus shall be sterilized immediately before the process is begun.

SEC. 93. All persons while handling milk shall wear clean, washable outer garments. The use of tobacco, snuff, and intoxicants in the pasteurizing plant is prohibited.

SEC. 94. *Penalty for violation.*—Any person who shall violate any of the provisions or requirements of this ordinance shall, upon conviction thereof, before the municipal court of the city of Minneapolis, be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment until such fine is paid not exceeding 90 days. The minimum fine for bottling milk anywhere except in a dairy or pasteurization plant shall be \$25.

SEC. 95. All licenses granted under this ordinance shall be subject to revocation, as provided in chapter 4, section 16, of the city charter.

SEC. 96. *Repeal of former ordinance.*—The ordinance entitled "An ordinance to provide for the inspection of milk sold within the city of Minneapolis and of dairies and dairy herds kept for the production of such milk, and to prevent fraud in the sale of milk and preserve the public health and to license



and regulate the sale and disposition of milk in said city," approved September 20, 1907, is hereby repealed. Existing licenses issued thereunder shall remain in force during the time for which they were issued, but all such licensees shall comply with the provisions of this ordinance.

SEC. 97. No section or provision of this ordinance shall be held to be invalid or in any manner affected or defeated by reason of the invalidity of any other section or provision of this ordinance being adjudicated or held invalid by any court.

SEC. 98. *Ordinances to take effect.*—This ordinance shall take effect and be in force six months after its approval and publication in the city council proceedings.

#### NEW YORK, N. Y.

#### Milk and Milk Products—Terms Defined. (Res. Bd. of H., Nov. 27, 1918.)

*Resolved*, That section 1 of the sanitary code be amended by adding thereto the following new subdivisions:

33. "Milk"—the whole, fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained 15 days before and 5 days after calving, or such longer period as may be necessary to render the milk practically colostrum free.

34. "Skimmed milk" is clean, pure, healthy, wholesome, and unadulterated milk from which substantially all milk fat has been removed.

35. "Cream" is that portion of clean, pure, healthy, wholesome, and unadulterated milk, rich in milk fat, which rises to the surface of milk on standing or is separated from it by centrifugal force.

36. "Condensed milk, evaporated milk, or concentrated milk" is the product resulting from the evaporation of a considerable portion of the water from clean, pure, healthy, wholesome, and unadulterated milk.

37. "Sweetened condensed milk, sweetened evaporated milk, or sweetened concentrated milk" is the product resulting from the evaporation of a considerable portion of water from clean, pure, healthy, wholesome, and unadulterated milk, to which sugar (sucrose) has been added.

38. "Condensed skimmed milk, evaporated skimmed milk, or concentrated skimmed milk" is the product resulting from the evaporation of a considerable portion of water from clean, pure, healthy, wholesome, and unadulterated skimmed milk.

39. "Sweetened condensed skimmed milk, evaporated condensed skimmed milk, or concentrated condensed skimmed milk" is the product resulting from the evaporation of a considerable portion of water from clean, pure, healthy, wholesome, and unadulterated skimmed milk, to which sugar (sucrose) has been added.

40. "Dried milk" is the product resulting from the removal of the water from clean, pure, healthy, wholesome, and unadulterated milk.

41. "Dried skimmed milk" is the product resulting from the removal of the water from clean, pure, healthy, wholesome, and unadulterated skimmed milk.

42. "Modified milk" is clean, pure, healthy, wholesome, and unadulterated milk, which has been changed by the addition of water, sugar of milk, or other substance intended to render the milk suitable for infant feeding.

43. "Reconstituted milk" is a product which is mechanically and exclusively made from milk solids not fat, milk fats containing all the properties of milk fats in milk, and water, in appropriate proportions and having all the recognized characteristics of milk.

44. "Reconstituted cream" is a product which is mechanically and exclusively made from milk solids not fat, milk fats containing all the properties of milk fats in milk, and water, in appropriate proportions and having all the recognized characteristics of cream.

45. "Buttermilk" is the product that remains when butter is removed from clean, pure, healthy, wholesome, and unadulterated milk or cream in the process of churning.

46. "Malted milk" is the product made by combining clean, pure, healthy, wholesome, and unadulterated milk with the liquid separated from a mash of ground barley, malt, and wheat flour, with or without the addition of sodium chloride, sodium bicarbonate, and potassium bicarbonate, in such manner as to secure the full enzymic action of the malt extract and by removing water.

**Unwholesome Milk and Milk Products—Possession or Sale Prohibited. (Res. Bd. of H., June 28, 1917.)**

*Resolved*, That section 151 of the sanitary code be, and the same is hereby, amended to read as follows:

SEC. 151. *Unwholesome, unclean, watered, or adulterated milk, skimmed milk and cream, and skimmed milk, cream, butter, or cheese made therefrom; possession and sale prohibited.*—No persons shall have at any place where milk, skimmed milk, cream, butter, or cheese is kept for sale, or at any place sell, deliver, offer, or have for sale, or keep for use, nor shall any person bring or send to the city of New York any milk, skimmed milk, or cream which is unwholesome, unclean, watered, or adulterated, or milk known as "swill milk," or milk from cows or other animals that have been fed in whole or in part on swill, distillery waste, or any substance in a state of putrefaction, or in any way unwholesome, or milk from sick or diseased cows or other animals, or any cream, skimmed milk, butter, or cheese made from any such milk, or any unwholesome butter, or cheese.

**Adulterated Milk and Cream—Possession or Sale Prohibited. (Res. Bd. of H., June 28, 1917.)**

*Resolved*, That section 152 of the sanitary code be, and the same is hereby, amended to read as follows:

SEC. 152. *Adulterated milk and cream; distribution prohibited; term "adulterated" defined.*—No milk which is adulterated, reduced, or changed in any respect by the addition of water or other substance, or by the removal of cream, shall be brought into the city of New York, or held, kept, sold, or offered for sale, at any place in said city; nor shall any person or corporation keep, have, sell, or offer for sale in the said city any such milk.

No cream which is adulterated shall be brought into the city of New York or held, kept, sold, or offered for sale in said city, nor shall any person or corporation keep, have, sell, or offer for sale in said city any such cream. The term "cream" shall be taken to mean that portion of milk represented in milk fat which rises to the surface of milk on standing or is separated from it by centrifugal force.

Milk or cream in the possession of or held, kept, or offered for sale by a dealer in food shall prima facie be deemed to be held, kept, and offered for sale as human food.

The term "adulterated" shall be taken to mean and include:

First. Milk containing more than 88½ per cent of water or fluids.

Second. Milk containing less than 11½ per cent of milk solids.

Third. Milk containing less than 8½ per cent of solids not fat.

Fourth. Milk from which any part of the cream has been removed.

Fifth. Milk containing less than 3 per cent of fats.

Sixth. Cream which contains less than 18 per cent of butter fat.

Seventh. Milk, or cream from milk, which has been drawn from animals within 15 days before or 5 days after parturition.

Eighth. Milk, or cream from milk, which has been drawn from animals fed on distillery waste, or any substance in a state of putrefaction, or on any unwholesome food.

Ninth. Milk, or cream from milk, which has been drawn from cows kept in a crowded or unhealthy condition.

Tenth. Milk or cream which has been diluted with water or any other fluid, or to which has been added, or into which has been introduced, any foreign substance whatever.

Eleventh. Milk or cream, the temperature of which is higher than 50° F., or which contains an excessive number of bacteria. This requirement includes "grade C milk" that has been pasteurized.

Twelfth. Milk, or cream from milk, which is produced in violation of the regulations of the board of health.

The provisions of this section shall not be applicable, however, to modified milk, held or offered for sale under permit therefor issued by the board of health, or to skimmed milk. The provisions of this section shall, however, apply to cream sold under any foreign name meaning cream, such as smeteny, crema, and rahm, and to all cream products and preparations such as homogenized products and milk curds. The provisions concerning temperature and bacterial content shall not apply to sour cream.

#### **Adulterated Milk and Cream—Seizure and Destruction Authorized. (Res. Bd. of H., June 28, 1917.)**

*Resolved*, That section 153 of the sanitary code be, and the same is hereby, amended to read as follows:

SEC. 153. *Adulterated milk, skimmed milk, and cream; seizure and destruction authorized.*—Any milk, skimmed milk, or cream found to be adulterated which has been brought into the city of New York or is held or offered for sale in said city may be seized and destroyed by any inspector or other officer of the department of health authorized to inspect the said milk or cream.

#### **Milk and Cream—Sale—"Modified Milk" Defined. (Res. Bd. of H., June 28, 1917.)**

*Resolved*, That section 155 of the sanitary code be, and the same is hereby, amended to read as follows:

SEC. 155. *Milk, skimmed milk, cream, condensed or concentrated milk, condensed skimmed milk, and modified milk; sale regulated; term "modified milk" defined; exception.*—No milk, skimmed milk, or cream, condensed or concentrated milk, condensed skimmed milk, or modified milk shall be held, kept, offered for sale, sold, or delivered in the city of New York without a permit issued therefor by the board of health or otherwise than in accordance with the terms of said permit and with the regulations of said board.

By the term "modified milk" is meant milk of any subdivision of the classification known as "Grade A; for infants and children," which has been changed by the addition of water, sugar of milk, or other substance intended to render the milk suitable for infant feeding.

The provisions of this section shall not apply to milk, skimmed milk, or cream sold in hotels, restaurants, and retail stores, nor to condensed milk or condensed skimmed milk when contained in hermetically sealed cans.

**Milk and Cream—Grades and Designations. (Res. Bd. of H., June 28, 1917.)**

*Resolved*, That section 156 of the sanitary code be, and the same is hereby, amended to read as follows:

SEC. 156. *Milk, skimmed milk, and cream; grades and designations.*—All milk, skimmed milk, or cream held, kept, offered for sale, sold, or delivered in the city of New York shall be so held, kept, offered for sale, sold, or delivered in accordance with the regulations of the board of health and under any of the following grades or designations, and not otherwise:

"Grade A: For infants and children:"

1. Milk, skimmed milk, or cream (raw).
2. Milk, skimmed milk, or cream (pasteurized).

"Grade B: For adults:"

1. Milk, skimmed milk, or cream (pasteurized).

"Grade C: For cooking and manufacturing purposes only:"

1. Milk, skimmed milk, or cream not conforming to the requirements of any of the subdivisions of grade A or grade B, and which has been pasteurized according to the regulations of the board of health or boiled for at least two minutes.

"Condensed skimmed milk."

"Condensed or concentrated milk."

The provisions of this section shall apply to milk, skimmed milk, or cream used for the purpose of producing or used in preparation of sour milk, buttermilk, homogenized milk, milk curds, sour cream, smeteny, kumyss, matzoon, zoolak, and other similar products or preparations, provided that any such product or preparation be held, kept, offered for sale, sold, or delivered in the city of New York.

**Milk and Cream—Must Conform to Standards of Particular Grades. (Res. Bd. of H., June 28, 1917.)**

*Resolved*, That section 157 of the sanitary code be, and the same is hereby, amended to read as follows:

SEC. 157. *Milk, skimmed milk, and cream; must conform to grade standards.*—All milk, skimmed milk, or cream held, kept, offered for sale, sold, or delivered in the city of New York shall conform in character to the standards and requirements set forth in section 156 of this code as applicable to the particular grade under which such milk or cream shall be held, kept, offered for sale, sold, or delivered.

**Bottles, Cans, and Other Receptacles for Holding Milk and Cream—Cleaning—Use for Other Purposes Prohibited. (Res. Bd. of H., June 28, 1917.)**

*Resolved*, That section 159 of the sanitary code be, and the same is hereby, amended to read as follows:

SEC. 159. *Bottles, cans, and other receptacles for holding milk, skimmed milk, and cream; use regulated and restricted.*—It shall be the duty of all persons having in their possession bottles, cans, or other receptacles containing milk, skimmed milk, or cream which are used in the transportation or delivery of milk, skimmed milk, or cream to clean or cause them to be cleaned immediately upon emptying.



No person shall use or cause or allow to be used any receptacle which is used in the transportation and delivery of milk, skimmed milk, or cream for any purpose whatsoever other than the holding of milk, skimmed milk, or cream; nor shall any person receive or have in his possession any such receptacle which has not been washed after holding milk, skimmed milk, or cream, or which is unclean in any way.

**Adulterated Skimmed Milk—Possession or Sale Prohibited—"Adulterated" Defined. (Res. Bd. of H., June 28, 1917.)**

*Resolved*, That article 9 of the sanitary code be, and the same is hereby, amended by adding thereto a new section to be known as section 173, to read as follows:

SEC. 173. *Adulterated skimmed milk; distribution prohibited; term "adulterated" defined.*—No skimmed milk which is adulterated shall be brought into the city of New York or held, kept, sold, or offered for sale in said city, nor shall any person or corporation keep, have, sell, or offer for sale in the said city any such skimmed milk.

The term "skimmed milk" shall be taken to mean: Milk from which all or part of the cream has been removed.

For the purpose of this section any skimmed milk in possession of or held, kept, or offered for sale by a dealer in food shall prima facie be deemed to be held, kept, and offered for sale as human food.

The term "adulterated" shall be taken to mean and include:

First. Skimmed milk containing less than 8 per cent of milk solids other than fat.

Second. Skimmed milk from milk which has been drawn from animals within 15 days before or 5 days after parturition.

Third. Skimmed milk from milk which has been drawn from animals fed on distillery waste or any substance in a state of putrefaction or on any unwholesome food.

Fourth. Skimmed milk from milk which has been drawn from cows kept in a crowded or unhealthy condition.

Fifth. Skimmed milk which has been diluted with water or any other fluid, or to which has been added or into which has been introduced any foreign substances whatever.

Sixth. Skimmed milk the temperature of which is higher than 50° F. or which contains an excessive number of bacteria.

Seventh. Skimmed milk from milk which is produced in violation of the regulations of the board of health.

**Reconstituted Milk and Reconstituted Cream—Permit Required for Manufacture, Possession, or Sale—Possession or Sale When Adulterated Prohibited—"Adulterated" Defined—Cleaning and Use of Bottles, Cans, and Other Receptacles for Holding. (Reg. Bd. of H., Nov. 27, 1918.)**

SEC. 174. *Reconstituted milk and reconstituted cream; sale regulated.*—No reconstituted milk or reconstituted cream shall be brought into the city of New York, or manufactured, held, kept, sold, or offered for sale at any place in said city without a permit therefor issued by the board of health or otherwise than in accordance with the terms of said permit and the regulations of said board.

SEC. 175. *Adulterated reconstituted milk and reconstituted cream.*—No reconstituted milk or reconstituted cream which is adulterated, reduced, or changed in any respect by the addition of water or other substances, shall be brought



into the city of New York or held, kept, sold, or offered for sale at any place in said city; nor shall any person, firm, or corporation keep, have, or offer for sale in said city any such reconstituted milk or reconstituted cream.

Reconstituted milk or reconstituted cream in the possession of or held, kept, or offered for sale by a dealer in food shall, prima facie, be deemed to be held, kept, and offered for sale as human food.

The term "adulterated" shall be taken to mean and include—

First. Reconstituted milk containing more than 88½ per cent of water or fluids.

Second. Reconstituted milk containing less than 11½ per cent of milk solids.

Third. Reconstituted milk containing less than 8½ per cent of solids not fat.

Fourth. Reconstituted milk containing less than 3½ per cent of fats.

Fifth. Reconstituted cream which contains less than 18 per cent of butter fat.

Sixth. Reconstituted milk or reconstituted cream made from ingredients which are rancid, impure, unwholesome, adulterated, unclean, contaminated, or otherwise unfit for human consumption.

Seventh. Reconstituted milk or reconstituted cream which has been diluted with water or any other fluid or to which has been added, or into which has been introduced, any foreign substance whatever.

Eighth. Reconstituted milk or reconstituted cream the temperature of which is higher than 50° F. or which contains an excessive number of bacteria.

Ninth. Reconstituted milk or reconstituted cream which is produced in violation of the regulations of the board of health.

Sec. 176. *Bottles, cans, and other receptacles for holding reconstituted milk and reconstituted cream; use regulated and restricted.*—It shall be the duty of all persons having in their possession bottles, cans, or other receptacles containing reconstituted milk or reconstituted cream, which are used in the transportation or delivery of reconstituted milk or reconstituted cream, to clean or cause them to be cleaned immediately upon emptying.

No person shall use or cause or allow to be used any receptacle which is used in the transportation and delivery of reconstituted milk or reconstituted cream for any purpose whatsoever other than the holding of reconstituted milk or reconstituted cream; nor shall any person receive or have in his possession any such receptacle which has not been washed after holding reconstituted milk or reconstituted cream or which is unclean in any way.

#### **Reconstituted Milk and Reconstituted Cream—Production, Handling, and Sale.** (Res. Bd. of H., Nov. 27, 1918.)

*Resolved*, That the following regulations governing the production, pasteurization, handling, storage, sale, and distribution of reconstituted milk and reconstituted cream, intended for human consumption in the city of New York, and relating to sections 174, 175, and 176 of the sanitary code, be and the same are hereby adopted:

#### **PROCEDURE OF THE DEPARTMENT OF HEALTH IN THE ENFORCEMENT OF REGULATIONS GOVERNING THE PRODUCTION, PASTEURIZATION, TRANSPORTATION, SALE, AND DISTRIBUTION OF RECONSTITUTED MILK AND RECONSTITUTED CREAM.**

**REGULATION 1. Applications.**—Applications for permits to sell reconstituted milk or reconstituted cream in the city of New York shall be made to the department of health upon official forms furnished for such purpose. Upon receipt of the application, the department of health shall take proper steps in order to determine whether or not the regulations hereinafter set forth have been complied with. A report shall thereafter be made by the said department recom-

mending the granting or denial of the application, as the case may be: *Provided, however,* No such application shall be recommended approved until the place of manufacture shall have been found to conform to the regulations governing the standards and requirements of reconstituted milk or reconstituted cream.

**REG. 2. Procedure governing the approval of the manufacturing establishment where reconstituted milk or reconstituted cream is produced.**—Application for the approval of the manufacturing establishment where reconstituted milk or reconstituted cream is produced shall be made to the department of health on official forms furnished for such purpose. No such manufacturing establishment shall be approved as a proper place in which to manufacture reconstituted milk or reconstituted cream unless it shall have been, in each instance, inspected by a duly authorized agent of the department of health of the city of New York in order to determine if the sanitary requirements of these regulations have been complied with and the reconstituted milk or reconstituted cream produced and handled thereat shall have been found to conform in character to the standards and requirements specified and prescribed by the provisions of the sanitary code and these regulations. Such application shall, after such inspection and examination have been made by the said department, be forwarded to the board of health with an appropriate report recommending the approval or disapproval of such manufacturing establishment as a proper place for the production of such reconstituted milk or reconstituted cream. Every such application shall be signed by the person, firm, or corporation manufacturing reconstituted milk or reconstituted cream, who at the time of the making of such application shall furnish to the department of health the following information:

1. The name and quality of ingredients used in the manufacture of reconstituted milk or reconstituted cream.
2. The source of supply of ingredients used in the manufacture of reconstituted milk or reconstituted cream.

**REG. 3. Permits.**—Permits to sell reconstituted milk or reconstituted cream, granted by the board of health, are issued subject to the following conditions:

- (a) Permits may be revoked in the discretion of the board of health.
- (b) Permits are not transferable. A permit is issued to a particular person, firm, or corporation and no other person, firm, or corporation is authorized and empowered to sell reconstituted milk or reconstituted cream under or by virtue of its terms.
- (c) Permits will remain in full force and effect until revoked by the board of health.
- (d) Willful and continuous violation of the provisions of the sanitary code or the regulations of the board of health supplemental thereto may result in the permanent revocation of such permit.

(e) The bringing into the city of New York or sale in said city of reconstituted milk or reconstituted cream, produced in a manufacturing establishment which has not been approved in accordance with regulation 2 of these regulations, by the person, firm, or corporation to whom the permit is granted may result in the permanent revocation of such permit.

**REG. 4. Exclusion of source of reconstituted milk or reconstituted cream manufacture.**—Upon the receipt of a written report of a duly authorized agent of the department of health showing the regulations of the board of health have not been complied with and the reconstituted milk or reconstituted cream produced at a particular manufacturing establishment has not been produced, transported, handled, stored, kept, offered for sale, or sold in accordance with the regulations hereinafter set forth, or such reconstituted milk or reconstituted

cream is a source of danger to the community, the director of the bureau of food and drugs is authorized and empowered to temporarily exclude such reconstituted milk or reconstituted cream from the city of New York, and no person, firm, or corporation shall bring into, sell, offer for sale, or distribute in said city any such reconstituted milk or reconstituted cream after receiving a written notice from the said director notifying him of such exclusion. Upon the receipt of a written report of a duly authorized agent of the department of health showing that the regulations of the board of health have been complied with the said director is further authorized and empowered to permit of the bringing in, selling, offering for sale, or distributing in said city any such reconstituted milk or reconstituted cream, excluded as aforesaid, if in his opinion the regulations have been complied with or the source of danger removed at any time after such exclusion: *Provided, however,* The said director shall report in detail to the board of health every such exclusion and readmission and the reason therefor. The said director of the bureau of food and drugs, however, may delegate, in writing, such power to the acting director of the said bureau for such period and to such extent as shall be specified in such delegation.

REG. 5. *Procedure governing the bacterial control of reconstituted milk or reconstituted cream.*—The bacterial standards established for reconstituted milk or reconstituted cream constitute one of the controlling facts in determining whether such reconstituted milk or reconstituted cream is produced, pasteurized, transported, and delivered in accordance with these regulations, and the department of health of the city of New York will exercise the control furnished by such standards in the manner and in conformity with the restrictions herein set forth. Periodical samples for bacteriological examination shall be taken of reconstituted milk or reconstituted cream before and after pasteurization. If as a result of the bacteriological examination of such samples it appears that the reconstituted milk or reconstituted cream does not conform to the bacterial standards prescribed for the particular grade and designation of such reconstituted milk or reconstituted cream, and the bacterial content is in excess of such standards, a written notification shall be sent to the person, firm, or corporation holding a permit from the board of health. Such written notification shall call attention to the fact that the bacterial content of such reconstituted milk or reconstituted cream is in excess of the standards; that the cause of such excess must be immediately removed; and that additional samples will be taken of such reconstituted milk or reconstituted cream within a specified time. Thereafter, and within the time specified in said written notice, additional samples shall be taken by the department of health and if the bacterial content of said reconstituted milk or reconstituted cream is again found in excess of the prescribed bacterial standard and the cause thereof has not been removed, a second written notification shall be forwarded to such person, firm, or corporation directing attention to such fact. Such written notification shall specify that further samples will be taken within a specified time and if such reconstituted milk or reconstituted cream is again found to be in excess of the bacterial standard the department of health will take immediate steps to determine the cause thereof and, if it is found not to have been produced, pasteurized, handled, transported, offered for sale, and sold in accordance with these regulations, to exclude such reconstituted milk or reconstituted cream as graded and designated from the city of New York. The provisions of these regulations shall not, however, be construed as limiting the power and authority of the department of health to exclude reconstituted milk or reconstituted cream which has been found to have been suspected of containing pathogenic bacteria or which has been found adulterated or misbranded under the provisions of the

sanitary code established by the public health council of the State of New York, or the sanitary code of the board of health of the department of health of the city of New York.

REQUIREMENTS GOVERNING THE MAINTENANCE OF BUILDINGS OR PORTIONS THEREOF USED IN THE MANUFACTURE OF RECONSTITUTED MILK OR RECONSTITUTED CREAM.

REG. 8. *Sanitary condition of rooms.*—Every building or portion thereof used for the purpose of manufacturing reconstituted milk or reconstituted cream shall be adequately lighted and ventilated; the walls, ceilings, and floors kept in sanitary condition and in good repair; all windows and doors opening into the outer air shall be properly screened to prevent the access of flies; and the doors shall be provided with self-closing devices.

REG. 9. *Toilet facilities to be provided.*—Suitable toilet facilities must be provided for the use of employees, but no water-closet shall communicate directly with any room used for handling reconstituted milk or reconstituted cream, or with any room in which utensils are washed.

REG. 10. *Separate room to be provided for washing utensils.*—A separate room for washing, cleaning, and sterilizing utensils and receptacles shall be provided.

REG. 11. *Reconstituted milk or reconstituted cream not to be handled in any room used for living purposes.*—No stable or room used for living or domestic purposes shall communicate with any room in which reconstituted milk or reconstituted cream is handled or in which utensils are washed.

REG. 12. *Water supply.*—The water supply shall be uncontaminated, easily accessible, and sufficient for all purposes.

REG. 13. *Construction of apparatus.*—All storage vats, mixing vats, pumps, pipes, and other apparatus must be of sanitary construction, all angles and joints being smoothly soldered. They must be provided with closely fitting metal covers of similar construction. All pumps and pipes must be so arranged that they can be easily taken apart for cleaning. The use of tightly soldered elbow joints is prohibited.

REG. 14. *Washing facilities for utensils and containers to be provided.*—Adequate facilities for the sterilization of all utensils and containers used in the handling and storage of reconstituted milk or reconstituted cream shall be provided.

REG. 15. *Racks or can dryers must be provided.*—Racks, constructed preferably of metal, must be provided for the storage of washed cans in an inverted position until filled, unless dryers are employed during the sterilizing of cans and can covers.

REG. 16. *Surface coolers to be protected.*—Whenever surface coolers are used, they must be provided with suitable metal covers unless located in a room used for no other purpose.

REG. 17. *Smoking and spitting prohibited.*—Smoking and spitting within the building are prohibited.

REG. 18. *Oil cup or pan to be provided under bearings for shafting.*—All bearings for shafting must be provided with suitable oil cups or pans.

REG. 19. *Caps of bottles before use to be protected.*—Caps of bottles must be stored and kept in such manner as to be protected against contamination until used.

REG. 20. *Garments worn by employees.*—Clean, washable, outer garments shall be provided and worn by employees while handling reconstituted milk or reconstituted cream.

REG. 21. *Apparatus to be cleaned and sterilized after use.*—All storage vats, mixing vats, pumps, pipes, and other apparatus used in the manufacture or



handling of reconstituted milk or reconstituted cream must be thoroughly cleansed and sterilized after being used, and no such apparatus shall under any circumstances be used a second time until it shall have been, after the previous use thereof, so cleansed and sterilized.

REG. 22. *Pasteurizing apparatus.*—Every pasteurizing apparatus must be equipped with an automatic temperature-recording device which will indicate the temperature to which the reconstituted milk or reconstituted cream has been heated, the temperature at which said heating has been performed, and, if possible, the length of time for which reconstituted milk or reconstituted cream is held at required temperature. Where a continuous holder is used, the temperature-recording thermometer must be attached at the highest point of the outlet pipe. The temperature records must be made daily and be kept on file for a period of 60 days.

REG. 23. *Cooling of reconstituted milk or reconstituted cream after manufacture.*—All reconstituted milk or reconstituted cream must be cooled within 30 minutes after manufacture to a temperature of 50° F. or less.

REG. 24. *Sterilization of pasteurizing apparatus.*—All apparatus used in the pasteurizing of reconstituted milk or reconstituted cream must be sterilized immediately before the process is commenced.

REG. 25. *Health of employees.*—No person affected with any infectious, contagious, or communicable disease, or who resides, boards, or lodges in a household where he comes in contact with any person affected with any such disease or who is a carrier of the disease germs of any infectious disease shall work or be permitted to work in any place where reconstituted milk or reconstituted cream is manufactured, stored, or distributed.

STANDARDS AND REQUIREMENTS PRESCRIBED FOR RECONSTITUTED MILK AND RECONSTITUTED CREAM.

REG. 28. *Reconstituted milk or reconstituted cream to conform to requirements and standards prescribed in regulations.*—No reconstituted milk or reconstituted cream shall be labeled reconstituted milk or reconstituted cream, respectively, unless the same shall have been found by the department of health of the city of New York to conform to the requirements and standards set forth in these regulations.

REG. 29. *Pasteurization.*—Reconstituted milk or reconstituted cream shall be heated to a temperature of at least 142° F. and held at such temperature for 30 minutes or more. No reconstituted milk or reconstituted cream shall be pasteurized a second time.

REG. 30. *Time of delivery.*—Reconstituted milk or reconstituted cream, when transported and offered for sale, must be delivered to the consumer within 48 hours after manufacture.

REG. 31. *Bacteria standard.*—Reconstituted milk shall not contain more than 60,000 bacteria (colonies) per cubic centimeter when delivered to the consumer or at any time after manufacture.

REQUIREMENTS GOVERNING THE STORAGE, SALE, AND DISTRIBUTION WITHIN THE CITY OF NEW YORK OF RECONSTITUTED MILK OR RECONSTITUTED CREAM.

REG. 34. *Reconstituted milk or reconstituted cream not to be stored in stable or other insanitary place.*—Reconstituted milk or reconstituted cream shall not be handled, stored, offered for sale, or sold in any stable, room used for sleeping purposes, or in any room or place which is dark, damp, poorly ventilated, or insanitary.



REG. 35. *Reconstituted milk or reconstituted cream to be protected.*—All vessels containing reconstituted milk or reconstituted cream must be provided with suitable covers and kept covered so as to protect the reconstituted milk or reconstituted cream from dust, dirt, flies, and other contamination.

REG. 36. *Reconstituted milk or reconstituted cream not to be transferred on street.*—Reconstituted milk or reconstituted cream shall not be transferred from one container to another on any public highway or ferryboat.

REG. 37. *Ice tub or ice box to be provided.*—Vessels in which reconstituted milk or reconstituted cream is held for sale shall be kept in a tub, properly iced, or in an ice box or refrigerator, in which these or similar articles of food are stored. Every such tub, ice box, or refrigerator shall be maintained in a clean, sanitary condition.

REG. 38. *Containers to be cleaned and sterilized.*—All containers in which reconstituted milk or reconstituted cream is stored, handled, transported, or sold must be properly cleansed and sterilized after being used, and no bottles, vessels, or containers shall under any circumstances be used a second time unless they shall have been, after the previous use thereof, so cleansed and sterilized. Such cleansing and sterilizing shall not be done, nor shall any containers be filled in any stable, in any room used for sleeping purposes, or in any room having a direct connection with such stables or rooms or with water-closet compartments unless such water-closet compartments conform to regulation 9 of these regulations.

REG. 39. *Bottles, vessels, and containers collected from infected premises to be kept separate.*—Bottles, vessels, and containers in which reconstituted milk or reconstituted cream was held, collected from premises in which a case of infectious disease exists or has existed, shall be kept separate and apart from other bottles, vessels, and containers used for such purpose until the same shall have been properly cleansed and sterilized.

REG. 40. *Worn or badly rusted receptacles.*—All cans, vessels, or containers used in the transportation, sale, or delivery of reconstituted milk or reconstituted cream, when found to be in a worn-out, badly rusted condition or with rusted inside surface, or in such condition as to render it impossible to properly cleanse and sterilize same, shall be condemned by inspectors of the department of health. Every such can or receptacle when so condemned shall be marked by a stamp, impression, or device showing that it had been so condemned, and when so condemned shall not thereafter be used by any person for the purpose of selling, delivering, or shipping reconstituted milk or reconstituted cream.

REG. 41. *Drainage of ice box.*—The overflow pipe from the ice box in which reconstituted milk or reconstituted cream is kept must not be directly connected with the drainpipe or sewer, but must discharge into a properly trapped, sewer-connected, water-supplied open sink, unless otherwise permitted by the department of health.

REG. 42. *Health of employees.*—No person affected with any infectious, contagious, or communicable disease, or who resides, boards, or lodges in a household where he comes in contact with any person affected with any such disease, or who is a carrier of any infectious disease, shall work or be permitted to work in any place where reconstituted milk or reconstituted cream is manufactured, stored, or distributed.

REG. 43. *Dippers and their utensils not to be upon any wagon.*—No person shall have upon any wagon used for the transportation and delivery of reconstituted milk or reconstituted cream any dipper or other utensil which may be used for the purpose of transferring reconstituted milk or reconstituted cream from one container to another.

**REG. 44. *No water, preservatives, or adulterants to be upon any wagon.***—No water, preservative, or other adulterant shall be kept in a receptacle upon any wagon used for the purpose of transporting and delivering reconstituted milk or reconstituted cream.

**REQUIREMENTS GOVERNING THE LABELING AND DESIGNATING OF RECONSTITUTED MILK AND RECONSTITUTED CREAM.**

**REG. 47. *Labeling.***—Each can or receptacle containing reconstituted milk or reconstituted cream shall bear a tag or label, approved by the department of health, upon which tag or label the following words and statements shall be clearly and legibly set forth in English:

- a. Reconstituted milk (reconstituted cream).
- b. Manufactured from (names of ingredients used in manufacture).
- c. Name of manufacturer.
- d. Place of manufacture.
- e. Date of manufacture.

Where reconstituted milk or reconstituted cream is transported in, and sold from, cans, the necks and shoulders thereof shall be painted a distinctive bright red color.

**REG. 48. *Sale at retail regulated and restricted.***—Where reconstituted milk or reconstituted cream is sold at retail from cans, such cans shall be placed in a tub, box, or other container provided for such purpose, which shall be painted a bright yellow color with the word "reconstituted milk" or "reconstituted cream," or both, clearly, legibly, and plainly painted in large block type letters of a prominent, conspicuous contrasting color, not less than 6 inches high on the two opposite sides of such box, tub, or other container. Such tubs, boxes, or other containers shall be exclusively used for the storage of cans containing reconstituted milk or reconstituted cream, and shall be so stored and kept as to be in plain view of the customer and easily accessible to inspectors of the department of health. At any place where reconstituted milk or reconstituted cream is not to be sold and distributed at retail in original container, but is to be dipped from the original container and transferred into another container supplied by the purchaser, no other milk shall be so sold and distributed thereat.

**REG. 49. *Word, statement, design, mark, or device on label.***—No word, statement, design, mark, or device regarding reconstituted milk or reconstituted cream shall appear on any cap or tag attached to any bottle, can, or other receptacle containing reconstituted milk or reconstituted cream, which word, statement, design, mark, or device is false or misleading in any particular.

**REG. 50. *Tags to be saved.***—As soon as the reconstituted milk or reconstituted cream contained in the can or receptacle has been returned or otherwise disposed of, or leaves the possession of the dealer, the tag thereon shall be removed and kept on file in the store where such reconstituted milk or reconstituted cream has been sold, for a period of two months thereafter, for inspection by the department of health. Tags affixed to such cans or receptacles shall not be removed therefrom until the contents have been sold or otherwise disposed of.

**Milk and Cream—Handling and Sale. (Res. Bd. of H., June 28, 1917.)**

*Resolved*, That regulations 1 to 12 of the regulations governing the production, transportation, pasteurization, and sale of milk, cream, condensed or

concentrated milk, condensed skimmed milk, and modified milk, adopted March 30, 1915, be amended to read as follows:

REGULATIONS GOVERNING THE PRODUCTION, TRANSPORTATION, PASTEURIZATION, AND SALE OF MILK, SKIMMED MILK, CREAM, CONDENSED OR CONCENTRATED MILK, CONDENSED SKIMMED MILK, AND MODIFIED MILK.

GENERAL REGULATIONS APPLYING TO ALL PLACES WHERE MILK, SKIMMED MILK, CREAM, CONDENSED OR CONCENTRATED MILK, CONDENSED SKIMMED MILK, AND MODIFIED MILK IS PRODUCED, TRANSPORTED, PASTEURIZED, OFFERED FOR SALE, OR SOLD.

REGULATION 1. *Milk, skimmed milk, cream, and condensed milk not to be stored in stables or other insanitary places.*—Milk, skimmed milk, cream, or condensed milk shall not be handled, stored, offered for sale, or sold in any stable, room used for sleeping purposes, or in any room or place which is dark, damp, poorly ventilated, or insanitary.

REG. 2. *Water-closet compartments.*—Every water-closet compartment, except when provided with mechanical means of ventilation, shall have a window at least 1 foot by 3 feet between stopbeads opening to the external air, and the window shall be made so as to readily open, or an opening connected with the external air measuring at least 144 square inches for each water-closet or urinal, with an increase of 72 square inches for each additional water-closet or urinal. The door or doors of the water-closet compartment shall be self-closing. Where the water-closet is in direct communication with the room in which food is prepared or stored, if required by the department of health, a suitable and properly lighted vestibule shall be provided. The door of the vestibule shall be self-closing. All water-closet fixtures, water-closet compartments, and vestibules shall be maintained in a clean and sanitary condition and in good repair.

REG. 3. *Rooms, insanitary condition.*—Milk, skimmed milk, condensed milk, or cream shall not be sold or stored in any room which is dark, poorly ventilated, or dirty, or in which rubbish or useless material is allowed to accumulate, or in which there are offensive odors.

REG. 4. *Milk vessels to be protected.*—All vessels which contain milk, skimmed milk, condensed milk, or cream must be protected by suitable covers. Vessels must be so placed that milk, skimmed milk, condensed milk, or cream will not become contaminated by dust, dirt, or flies.

REG. 5. *Milk not to be kept on sidewalk.*—Milk, skimmed milk, condensed milk, or cream shall not be allowed to stand on the sidewalk or outside of the store longer than is absolutely necessary for transportation.

REG. 6. *Milk not to be transferred on street.*—Milk, skimmed milk, condensed milk, or cream must not be transferred from one container to another on the streets, at ferries, or at railroad depots.

REG. 7. *Ice tub or ice box to be provided.*—Vessels in which milk, skimmed milk, condensed milk, or cream is kept for sale shall be kept either in a milk tub, properly iced, or in a clean ice box or refrigerator in which these or similar articles of food are stored.

REG. 8. *Containers to be cleaned and sterilized.*—All containers in which milk, skimmed milk, condensed milk, or cream is stored, handled, transported, or sold must be thoroughly cleaned and sterilized before filling. Such cleaning and sterilizing shall not be done, nor shall any containers be filled in any stable, in any room used for sleeping purposes, or in any room having a direct connection with such stables or rooms, or with water-closet compartments, unless such water-closet compartments conform to regulation 2 of these regulations.

REG. 9. *Ice box or ice tub to be kept clean.*—The ice box or ice tub in which milk, skimmed milk, condensed milk, or cream is kept must be maintained in a thoroughly clean condition.

REG. 10. *Drainage of ice box.*—The overflow pipe from the ice box in which milk, skimmed milk, condensed milk, or cream is kept must not be directly connected with the drain pipe or sewer, but must discharge into a properly trapped, sewer connected, water supplied open sink.

REG. 11. *Health of employees.*—No person having an infectious disease or carrying for or coming in contact with any person having an infectious disease shall handle milk or any product of milk.

REG. 12. *Worn or badly rusted receptacles.*—All cans or receptacles used in the sale or delivery of milk, skimmed milk, cream, or condensed milk when found to be in an unfit condition to be so used by reason of being worn out, badly rusted, or with rusted inside surface, or in such condition that they can not be rendered clean and sanitary by washing, shall be condemned by inspectors of this department. Every such can or receptacle when so condemned shall be marked by a stamp, impression, or device showing that it had been so condemned, and when so condemned shall not thereafter be used by any person for the purpose of selling, delivering, or shipping milk, skimmed milk, cream, or condensed milk.

**Milk and Cream—Labeling—Records of Receipts, Deliveries, and Sales—Sale of Skimmed Milk. (Res. Bd. of H., June 28, 1917.)**

*Resolved,* That regulations 146 to 152 of the regulations governing the production, transportation, and sale of milk, cream, condensed or concentrated milk, condensed skimmed milk, and modified milk, adopted March 30, 1915, be amended to read as follows:

**ADDITIONAL REGULATIONS GOVERNING THE LABELING OF MILK, SKIMMED MILK, OR CREAM BROUGHT INTO, DELIVERED, OFFERED FOR SALE, AND SOLD IN NEW YORK CITY.**

REG. 146. *Labeling of milk, skimmed milk, or cream.*—Each can or receptacle containing milk, skimmed milk, or cream shall bear a tag or label stating, if shipped from a creamery or dairy, the location of the said creamery or dairy, the date of shipment, the name of the dealer, and the grade of the product contained therein, except as elsewhere provided for delivery of cream in bottles. The words "skimmed milk" shall be clearly, legibly, and conspicuously set forth in plain block letters upon the tag or label affixed to each can or receptacle containing skimmed milk.

REG. 147. *Labeling of milk, skimmed milk, or cream to be pasteurized.*—All milk, skimmed milk, or cream brought into the city of New York to be pasteurized shall have a tag affixed to each and every can or other receptacle indicating the place of shipment, date of shipment, and the words "to be pasteurized at (stating location of pasteurizing plants)." The words "skimmed milk" shall be clearly, legibly, and conspicuously set forth in plain block letters upon the tag or label affixed to each can or receptacle containing skimmed milk.

REG. 148. *Mislabeling of milk, skimmed milk, or cream.*—Milk, skimmed milk, or cream of one grade or designation shall not be held, kept, offered for sale, sold, or labeled as milk, skimmed milk, or cream of a higher grade or designation.



REG. 149. *Word, statement, design, mark, or device on label.*—No word, statement, design, mark, or device regarding the milk, skimmed milk, or cream shall appear on any cap or tag attached to any bottle, can, or other receptacles containing milk, skimmed milk, or cream which word, statement, design, mark, or device is false or misleading in any particular.

REG. 150. *Tags to be saved.*—As soon as the milk, skimmed milk, or cream contained in a can or receptacle has been sold, or before the said can or receptacle has been returned or otherwise disposed of, or leaves the possession of the dealer the tag thereon shall be removed and kept on file in the store where such milk, skimmed milk, or cream has been sold for a period of two months thereafter for inspection by the department of health. Tags affixed to such cans or receptacles shall not be removed therefrom until the contents thereof have been sold or otherwise disposed of.

REG. 151. *Record of milk, skimmed milk, or cream delivered.*—Every wholesale dealer in the city of New York shall keep a record in his main office in the said city, which shall show from which place or places milk, skimmed milk, or cream, delivered by him daily to retail stores in the city of New York, has been received and to whom delivered, and the said record shall be kept for a period of two months for inspection by the department of health and shall be readily accessible to the inspectors of the said department at all times.

REG. 152. *Skimmed milk; sale at retail regulated and restricted.*—Skimmed milk shall not be sold at retail except when the cans or other receptacles containing the said skimmed milk shall be placed and kept in a tub, box, or other container, painted a bright blue color with the words "skimmed milk" clearly, legibly, and plainly set forth in large block type letters of a prominent and conspicuous contrasting color, not less than 6 inches high and painted on the outside of two opposite sides of the tub, box, or other container. Such tubs, boxes, or other containers shall be exclusively used for the storage of cans or other receptacles containing skimmed milk and shall be so stored and kept as to be in plain view of customers and easily accessible to inspectors of the department of health.

#### OKLAHOMA CITY, OKLA.

#### Milk and Milk Products—Production, Handling, and Sale. (Ord. 1953, July 31, 1917.)

SECTION 1. All milk, cream, skim milk, or buttermilk sold, offered for sale, exposed for sale, or used in the manufacture of ice cream within the city of Oklahoma City, shall be pasteurized in the manner as hereinafter provided unless such milk, cream, skim milk, or buttermilk is of the kind or grade hereinafter defined as "inspected."

SEC. 2. For the purpose of this ordinance inspected milk, cream, skim milk, or buttermilk shall be defined as milk, cream, skim milk, or buttermilk which has been produced in dairies that have been inspected and approved by the board of health or their authorized representative.

SEC. 3. Any person, firm, or corporation producing and selling or producing and offering for sale or for delivery in the city of Oklahoma City, or any person, firm, or corporation engaged in the bottling or receiving and handling in bulk of milk, cream, skim milk, or buttermilk, shall make a written application to the board of health at the office of the city chemist, stating the name and residence of the applicant and the location and description of the premises where such milk is to be produced, bottled, or handled.



SEC. 4. The board of health, or their representative shall thereupon make or cause to be made an inspection of the premises, cows, and of the milk produced, and the manner of handling milk, cream, skim milk, or buttermilk, and if the same are found to comply with the requirements as hereinafter set forth he shall issue a permit allowing the milk, cream, skim milk, or buttermilk produced or handled on said premises to be brought into or sold in the city of Oklahoma City: *Provided*, That said permit shall be issued only under the express condition that the person, firm, or corporation given such permit will report at once any and all sickness occurring in himself or any or all persons residing or employed upon such premises, and will not ship into, deliver, sell, or offer for sale, in the city of Oklahoma City, or bring or deliver to any creamery or bottling plant supplying the city of Oklahoma City the milk, cream, skim milk, or buttermilk produced on the said premises when a case of contagious or infectious disease is known, or suspected of having occurred in himself or any or all other persons residing or employed upon said premises, or in the families of any person or persons so employed, or in any dwelling in which said persons or persons shall be domiciled.

SEC. 5. Every such permit to produce inspected milk shall expire on the 30th day of April following the date of issue, and every such permit to bottle or handle in bulk inspected milk shall expire on the 30th day of April following its issue.

SEC. 6. The board of health, when it shall appear to their satisfaction that the provisions of this ordinance have not or are not being complied with, may revoke such permit by giving notice in writing to the person holding such permit.

SEC. 7. Inspected milk, cream, skim milk, or buttermilk shall be produced [and] handled in accordance with the following regulations:

(a) It shall be produced on farms scoring not less than 65 on the following score card: *Provided, however*, That after June 1, 1918, farms on which inspected milk is produced shall score not less than 70 on this same score card.

## (b) Score card.

	Score.			Score.	
	Per- fect.	Al- lowed.		Per- fect.	Al- lowed.
<b>EQUIPMENT.</b>			<b>METHODS.</b>		
<b>Cows:</b>			<b>Cows:</b>		
Condition.....	4	.....	Cleanliness.....	10	.....
Health (outward appearance).....	6	.....	<b>Stable:</b>		
Comfort.....	4	.....	Cleanliness.....	12	.....
Bedding..... 2			Floor..... 4		
Temperature of stable..... 1			Walls..... 2		
Protected yard..... 1			Ceiling..... 2		
Cubic feet of space per cow: Over			Ledges..... 1		
300, 2; over 400, 4; 500 to 1,000,			Mangers and partitions..... 1		
6.....	6	.....	Windows..... 1		
Feed.....	4	.....	No other animals in		
Water.....	8	.....	stable..... 1		
Clean..... 6			Stable air.....	4	.....
Fresh..... 2			Removal of manure.....	4	.....
<b>Stable:</b>			To field or proper pit... 4		
Location.....	6	.....	30 feet from stable... 2		
Well drained..... 3			Cleanliness of stable yard.....	2	.....
Free from contamin-			<b>Milk room:</b>		
ating surroundings... 3			Cleanliness.....	6	.....
Construction.....	10	.....	Care and cleanliness of utensils.....	10	.....
Tight, sound floor..... 3			Inverted in pure air... 2		
Gutter..... 1			Clean (superficially)... 4		
Stall, stanchion tie..... 1			Sterilized..... 4		
Low-down manger..... 1			<b>Milking:</b>		
Smooth, tight walls... 1			Clean, dry hands.....	4	.....
Smooth, tight ceiling... 2			Udder washed and dried.....	10	.....
Box stall..... 1			Cleaned with moist cloth... 8		
Light: 1 square foot glass per			Cleaned with dry cloth... 4		
cow, 2; 2 square feet, 4; 3 square			<b>Care of milk:</b>		
feet, 6; 4 square feet, 8; even			Cooling.....	20	.....
distribution, 2.....	10	.....	Removed from stable		
Ventilation: Sliding windows, 2;			immediately after		
hinged at bottom, 4; King sys-			milking each cow and		
tem or muslin curtain, 2.....	8	.....	promptly cooled... 10		
Stable yard (drainage).....	2	.....	Cooled to 50° F. or		
<b>Milk room:</b>			below..... 10		
Location.....	6	.....	51° F. to 55° F..... 8		
Convenience..... 2			56° F. to 60° F..... 6		
Free from contaminat-			<b>Storing</b> .....	8	.....
ing surroundings... 4			Below 50° F..... 8		
Construction.....	4	.....	51° F. to 55° F..... 6		
Floor..... 1.5			56° F. to 60° F..... 4		
Walls and ceiling..... 1			<b>Transportation</b> .....	10	.....
Light..... .5			Iced in summer..... 10		
Ventilation..... .5			Jacket or wet blanket		
Screens..... .5			in summer..... 8		
Arrangement.....	2	.....	Dry blanket..... 4		
<b>Equipment</b> .....	6	.....	Covered wagon..... 2		
Hot water or steam..... 2			<b>Total</b> .....	100	.....
Cooler..... 2			Score of equipment times 1 equal.....		
Narrow top milk pail..... 1			Methods times 2 equal.....		
Other utensils..... 1			Total divided by 3 equals final score.		
Water supply for utensils.....	10	.....			
Clean..... 6					
Convenient..... 2					
Abundant..... 2					
Milking suits.....	4	.....			
<b>Total</b> .....	100	.....			

(c) The cows yielding same must be kept clean. Long hairs must be clipped from the flanks, udder, and from the tail sufficiently to clear the ground. The cows shall not be fed on slops, refuse of any distillery or brewery, glucose, or any malt in a state of fermentation, putrefaction, or decomposition, or any other putrefying or unwholesome foodstuffs. Milk from cows 15 days before and one week after calving shall not be mixed with inspected milk.

(d) All milking must be done by milkers who are clean, both as to clothing and person, or by mechanical milkers operated by persons as above specified.

When open milk pails are used they shall have an opening at the top not more than 7 inches in diameter.

(e) All utensils, mechanical milkers, or other devices used in the production and handling of inspected milk must be properly cleaned and sterilized each time before using, and shall be so constructed that all parts are absolutely free from places where milk can accumulate or soak in so that it can not be removed by simply washing, and the surface coming in contact with the milk or cream must be smooth and free from rust.

(f) All persons living upon farms where such milk is produced or employed thereon shall be free from contagious or infectious diseases, and resident of or domiciled in places free from such diseases, and shall not be exposed to or come in contact with any person suffering with or having a contagious disease: *Provided*, That no person shall be employed or permitted to work on such farm unless and until it has been demonstrated to the satisfaction of the board of health that said person is not a typhoid or diphtheria carrier.

(g) It shall be the duty of every person, firm, or corporation producing inspected milk to notify the city chemist at once by mail or in person of the occurrence of any sickness in any person or persons living or employed on the farms where such milk is produced. Milk, cream, skim milk, or buttermilk produced on any farm or bottled or handled in bulk where a case of contagious or infectious disease has occurred or is suspected to have occurred shall not be shipped into, delivered, sold, or offered for sale in the city of Oklahoma City, or brought or delivered to any creamery or bottling plant supplying the city of Oklahoma City until the city chemist shall have been notified and shall have made an investigation and released such milk, cream, skim milk, or buttermilk for delivery in the city of Oklahoma City.

(h) All milk from each cow shall be removed from the stable immediately after it shall be obtained and shall then be strained and cooled at once to 55° F. or below; it shall then be kept at a temperature of 55° F. or below until delivered to the consumer.

(i) Inspected milk, cream, skim milk, or buttermilk, exposed for sale, offered for sale, or sold to the consumer shall be contained in tightly closed and capped bottles or receptacles of a similar character.

(j) All milk, cream, skim milk, or buttermilk produced and handled in the manner required in this section shall be labeled "inspected milk," "inspected cream," "inspected skim milk," or "inspected buttermilk," as the case may be, in letters not less than three-sixteenths of an inch high on the cap or cover of every package when contained in bottles or receptacles of a similar character; in letters not less than five-eighths of an inch high on the tag attached to each container when contained in cans. The name of the dairy producing such inspected milk, cream, skim milk, or buttermilk, shall be plainly indicated in figures not less than five-eighths of an inch high on every case, can, or receptacle of a similar character in which such milk, cream, skim milk, or buttermilk is sent or brought into the city of Oklahoma City. Said cap, cover, or tag shall be white in color, and the printing thereof shall be blue in color.

(k) All inspected milk, cream, skim milk, or buttermilk sold, offered for sale, or kept with the intention or brought into the city of Oklahoma City shall not yield more than a perceptible amount of sediment or stain other than that of natural butterfat when a quart sample of the same is filtered through a pledget of cotton 1 inch in diameter, and shall be entirely free from disease-producing bacteria and blood, pus, or other matter or things dangerous and detrimental to health.

(l) Inspected milk and inspected skim milk shall not contain more than 50,000 bacteria per c. c. from October 1 to May 1, inclusive, of each year, and not more than 100,000 bacteria from May 2 to September 30, inclusive of each year.

Inspected cream shall not contain more than 100,000 bacteria per c. c. from October 1 to May 1 of each year and not more than 150,000 bacteria per c. c. from May 2 to September 30, inclusive, of each year.

(m) Whenever a sample of milk or cream shall be taken for the purpose of having the same tested it shall be the duty of the person taking such sample to at once seal same with a seal, and to then and there make a record of the time and place of taking such sample and the name of the person so taking same and from whom taken, and to then and there give to the person from whom such sample was taken a duplicate of such record, and as promptly as possible to deliver such sample to the city chemist for testing, and it shall be the duty of the city chemist by himself or his assistants to promptly make bacterial and other tests of all samples of milk or cream so delivered to him for the purpose of determining whether same conform to the requirements of this ordinance.

(n) From the time of taking of any such sample to the time of the delivery thereof to the city chemist and its examination and testing by him the temperature of such sample of milk or cream shall be kept at not more than 50° F.

(o) An accurate record shall be kept at the office of the city chemist of the time of delivery to him of all such samples of milk and cream, and of the time and place of the taking of the same as reported to him by the person delivering the same to him, and of the result of all tests thereof made by him or in his office.

SEC. 8. All milk, cream, skim milk or buttermilk not complying with the requirements set forth for inspected milk in section 7 of this ordinance shall be produced, handled, and pasteurized in accordance with the following regulations:

(a) The said milk, cream, skim milk, or buttermilk shall be produced on farms scoring not less than 55 on the score card as described in section 7, article (b), of this ordinance.

(b) The milking must be done in a cleanly manner. When open milk pails are used they shall have an opening at the top not more than 7 inches in diameter.

(c) All utensils used in the production and handling of pasteurized milk must be properly cleaned and sterilized each time before using, and shall be so constructed that all parts shall be absolutely free from places where milk can accumulate or soak in so that it can not be removed by simply washing and the surface coming in contact with the milk or cream must be smooth and free from rust.

(d) All persons living upon farms where such milk is produced or employed thereon shall be free from contagious or infectious diseases and resident of or domiciled in places free from such diseases: *Provided, however,* That no person shall be employed or permitted to work on said premises who is known to be a carrier of an infectious or contagious disease.

(e) The milk from each cow shall be removed from the stable immediately after it is obtained, and shall then be strained and cooled at once to 70° F. or below, and kept at this temperature until pasteurized: *Provided,* That after June 1, 1918, the temperature to which the milk must be cooled and at or below which it must be kept shall be 65° F.

(f) All milk, cream, skim milk, or buttermilk required to be pasteurized shall not yield more than a perceptible amount of sediment or stain other than that



of natural butterfat when a quart sample of the same is filtered through a pledget of cotton 1 inch in diameter, and shall be entirely free from disease-producing bacteria, blood, pus, or other matter or things dangerous and detrimental to health.

Such milk and skim milk before pasteurizing shall not contain more than 300,000 bacteria per cubic centimeter from October 1 to May 1, inclusive, of each year, and not more than 500,000 bacteria per cubic centimeter from May 2 to September 30, inclusive, of each year.

(g) Every person, firm, or corporation installing or operating a pasteurizer for the purpose of pasteurizing or treating milk, cream, skim milk, or butter-milk to be sold, offered for sale, or kept with the intention of selling, or for the pasteurization or treatment of milk to be shipped or brought into the city of Oklahoma City, shall notify the board of health in writing, stating the time when, and the place where, such pasteurizer is to be installed, together with the name of the person or persons who will operate said pasteurizer, and shall file with the board of health the names of the owners and the location of all farms from which the milk that is to be pasteurized at said plant is obtained.

(h) The board of health shall thereupon make an inspection of such pasteurizer and the premises of the plant wherein the same is operated. They shall also inspect or cause to be inspected all farms, the milk supply of which after pasteurization at said plant is sold or intended for sale or brought into the city of Oklahoma City with the intention of selling for human consumption; and no such farms shall be allowed to bring or furnish milk or cream to said pasteurizing plant without first being inspected and found to comply with the requirements of section 7, article (b), of this ordinance.

(i) It shall be unlawful for any person, firm, or corporation operating such pasteurizer or pasteurizing plant to receive milk or cream from any farm which has not been inspected and passed by the board of health.

(j) When in the judgment of the board of health all of the foregoing provisions have been complied with and the pasteurizer or pasteurizing equipment is such that 99 per cent of all bacteria and all pathogenic bacteria are killed in the milk treated therein at the temperature required in articles (r) and (t), the city chemist shall issue a permit allowing the milk, cream, skim milk, or butter-milk pasteurized in such pasteurizer and on such premises to be brought into or sold in the city of Oklahoma City. Every such permit shall expire on the 30th day of April following the date of issue.

(k) When, in the judgment of the board of health, any such pasteurizer or pasteurizing plant is not being operated in accordance with the provisions of this ordinance, or when the milk received thereat or pasteurized therein is obtained from farms that do not comply with the requirements as set forth in this ordinance, or from farms which have not been inspected and found to comply with said requirements, the board of health may revoke such permit upon notice in writing to the person holding same.

(l) In case of dispute in regard to tests made of such pasteurizer or pasteurizing equipment, or in regard to the temperature to which milk shall be heated, the person, firm, or corporation making application to operate a pasteurizer may make application to the board of health to have the said pasteurizer or pasteurizing equipment reinspected, such reinspection or retesting shall be done by a board consisting of one person designated by the board of health, one person designated by the person, firm, or corporation making such application, and the two persons so designated to select a third.

(m) In all continuous pasteurization the milk and cream shall be heated to a temperature which shall be determined and fixed by the city chemist for each



machine at a temperature which shall be a point corresponding to a temperature required to kill 99 per cent of the bacteria and all pathogenic bacteria contained in the raw product and shall leave no colon bacilli in 1 cubic centimeter as determined by cultural methods.

(n) All continuous pasteurizers shall be equipped with a feeding pipe which is so constructed that the pasteurizer can not be fed in excess of its normal working capacity; that is, in excess of the working capacity of the machine at which 99 per cent of the bacteria are killed when the required amount of heat is applied.

(o) A recording apparatus not to exceed a cost of \$50 cash shall be installed upon all pasteurizers to record during the operation the temperature of the pasteurized product as it flows from the heater. The thermometer of this recording apparatus must be accurate and kept submerged in the milk in such a way that it is not exposed to escaping steam or other heat except the heated milk: *Provided, however,* That if the pasteurizing is done in bottles or other final containers, the temperature-recording apparatus must be attached and adjusted in a manner so as to accurately record the temperature to which the milk, cream, skim milk, or buttermilk is raised and the duration of time for which said temperature is maintained.

(p) The records made by the recording thermometer must be accurate and made in a chamber which is kept under lock and key in the control of the board of health and shall be mailed each Thursday to the city board of health.

(q) The mechanism of the pasteurizer or pasteurizing system shall be such that the three important elements, namely, the temperature, time of exposure, and the quantity of milk exposed at one time can be readily kept under control and observation by the board of health.

(r) The following conditions as to degrees of heat and time of exposure shall be complied with:

A uniform heat of 145° F. for 30 minutes, or 150° F. maintained for 20 minutes, or 155° F. maintained for 5 minutes. The time shall be calculated from the period that the entire quantity reaches the required temperature.

(s) All milk, cream, skim milk, or buttermilk produced and handled in the manner required in this section shall be labeled "pasteurized milk," "pasteurized cream," "pasteurized skim milk," or "pasteurized buttermilk," as the case may be, in letters not less than three-sixteenths of an inch high, on the cap or cover of every package when contained in bottles or receptacles of a similar character, and not less than five-eighths of an inch high on a tag attached to each container when contained in cans, together with the name of the person, firm, or corporation pasteurizing the same. Said caps, covers, or tags to be white in color and the lettering thereon to be red in color, and the cap or stopper of the bottles or receptacles of a similar character in which said pasteurized milk, cream, skim milk, or buttermilk is contained shall be plainly marked with the day of the week upon which said milk, cream, skim milk, or buttermilk inclosed in said bottles or receptacles of a similar character was pasteurized: *Provided,* That it shall be unlawful for any person, firm, or corporation to mark, cause to be marked, or permit to be marked upon any bottle or receptacle containing pasteurized milk, cream, skim milk, or buttermilk the name of any day other than that upon which the contents inclosed in said bottles or containers of similar character was pasteurized.

(t) After the passage of this ordinance all milk, cream, skim milk, or buttermilk which is not of the grade or kind defined in this ordinance as "inspected" shall be pasteurized at a temperature of not less than 145° F. for not less than 20 minutes, or not less than 155° F. for not less than 5 minutes.

(u) The pasteurized product shall be cooled at once to a temperature of 45° F. or below, and this cooling shall be so conducted that the pasteurized product is not exposed to possible sources of contamination.

The cooling apparatus shall be so constructed that it can be readily cleansed and sterilized.

SEC. 9. Milk, cream, or skim milk shall be inclosed in tightly capped bottles or in sealed cans immediately after pasteurization, and shall be kept at a temperature of less than 50° F.

SEC. 10. Pasteurized milk, cream, and skim milk shall not contain more than 50,000 bacteria per cubic centimeter from October 1 to May 1, inclusive, of each year, and not more than 100,000 bacteria from May 2 to September 30, inclusive, of each year, and shall contain no colon bacilli in 1 cubic centimeter as determined by cultural methods: *Provided*, That the formation of more than 10 of gas in the inclosed arm of a fermentation tube of standard size shall be considered as evidence of the presence of said organism when 1 cubic centimeter is planted in dextrose broth or lactose bile.

SEC. 11. (a) It shall be unlawful and an offense for any person, firm, or corporation to bring into the city, sell or offer for sale or have for sale or supply to consumers in the city of Oklahoma City any milk pasteurized or heated more than once.

(b) Any imitation buttermilk, unless the same be plainly labeled as such, or to use an unsanitary, rusty, dented, leaky or otherwise defective milk cans, containers or equipment, used in the operating of a dairy or in the delivery or storing of milk, and such containers or equipment when found in such condition by the milk inspector shall be summarily condemned.

[Sec. 11 as given here follows the printed copy of the ordinance, and there is apparently a clerical or typographical error.]

SEC. 12. It shall be the duty of the milk inspector to deliver to the office of the city chemist any unwholesome, insanitary, or illegal milk or milk products which he may seize or find. It shall be the duty of the city chemist to inspect and condemn such products as are in violation of this ordinance, and to provide a manner for destroying or disposing of such products so that the same can not be used for human food; provided he shall find the same unfit for human consumption or to be in violation of the provisions of this ordinance.

SEC. 13. No person, firm, or corporation shall engage in the production, sale, delivery, or distribution of milk in the city of Oklahoma City except in accordance with the provisions of the laws of the State of Oklahoma, and in compliance with the rules and regulations of the State board of health, the rules and regulations of the health department of the city of Oklahoma City, and of the State board of agriculture.

SEC. 14. No urinal, water-closet, or privy shall be located in or adjacent to rooms in which milk is handled or sold, situated so as to pollute the atmosphere of said rooms. All rooms housing urinals, water-closets, or privies shall be provided with clean towels, soap, and lavatory with running water, and there shall be conspicuously displayed in said room a sign requesting each person using said room to wash his or her hands before returning to work.

SEC. 15. Buttermilk as referred to in this ordinance shall be the product that remains when butter is removed from milk or cream in the process of churning.

SEC. 16. No person, firm, or corporation shall sell or offer to sell any buttermilk containing any colon bacilli or any other pathogenic bacteria, or which contains evidence of having been contaminated by filth, or which does not show on the cap, tag, or label on or attached to the container the name of the dairy in which the same was put in the container.

SEC. 17. Any imitation buttermilk, milk, or cream manufactured from cultured skim milk, or milk powder, or from any other source than above defined, shall be plainly labeled according to its true character and composition. Should buttermilk be diluted with milk of this character, the whole shall be labeled in terms plainly descriptive of the dilutant used, and any store, or any place where such imitation buttermilk, milk, or cream is sold shall display in conspicuous place a sign in letters not less than 4 inches in height and print the same on the bill of fare that such place sells imitation buttermilk, milk, or cream.

SEC. 18. It shall be unlawful and an offense to sell or offer for sale for human food any milk or fluids used in purifying, washing, deodorizing, neutralizing, or otherwise treating butter fat, butter, or cream in a state of putrefaction.

SEC. 19. All powers and authority by the law imposed upon peace and health officers are hereby conferred upon the milk inspector and the city chemist for the enforcement of this ordinance.

SEC. 20. It shall be unlawful for any milk vender to receive an unclean, unwashed container from any person.

SEC. 21. All persons operating dairies or connected with the production or handling of milk or milk products shall be examined by the city physician, and said persons must submit to a reexamination upon demand of city physician, for which no fee shall be charged.

#### PORT CHESTER, N. Y.

#### Milk and Cream—Production, Handling, and Sale. (Reg. Jan. 21, 1918.)

##### CH. 4. MILK AND CREAM.

REGULATION 1. *Permit required for sale of milk.*—No corporation, association, firm, or individual shall sell or offer for sale at retail milk or cream without a permit from the health officer, which shall be issued subject to such conditions as may be imposed by the sanitary code, these regulations, and the health officer. Such permit shall expire on the 31st day of March next after its issuance and shall be renewable on or before such date in each year, and may be revoked at any time for cause by the State commissioner of health or by the health officer after a hearing on due notice.

REG. 2. *Application for permit required.*—No permit for the sale at retail of milk or cream shall be issued unless written application, sworn to by the applicant, has been made therefor in the form prescribed by the State commissioner of health.

REG. 3. *Information required in application for permit.*—Every application for a permit to sell at retail milk or cream shall contain the name of each producer from whom the applicant receives or expects to receive milk or cream for sale, together with the approximate amount of milk or cream to be furnished by each such producer, and upon change in the source or amount of supply notice thereof shall be given promptly to the health officer.

REG. 4. *Dairy farms to be inspected and scored.*—On or after the 1st day of January of each year the health officer shall make a sanitary inspection of every dairy farm where milk or cream is produced for sale at retail and shall score each such dairy farm on the score card prescribed by the State commissioner of health.

The health officer may, however, in his discretion, accept the inspection and scoring by the health officer or his representative of another municipality.

**REG. 5. Conditions of issuance of permit.**—No permit to sell at retail milk or cream shall be issued unless the premises where it is proposed to handle such milk or cream shall, in the opinion of the health officer or his representative after inspection, have been rendered clean and sanitary; and unless each farm or dairy where such milk or cream is produced shall have been rated after inspection by a health officer or his representative or, in case of protest, by a sanitary supervisor of the State department of health at least 40 per cent on the score card prescribed by the State commissioner of health.

**REG. 6. Conditions of renewal of permit.**—No permit to sell at retail milk or cream shall be renewed unless inspection has been made within the preceding six months by the health officer or his representative of the premises where such milk or cream is handled and unless each farm or dairy where such milk or cream is produced has been rated by a health officer or his representative or, in case of protest, by a sanitary supervisor of the State department of health within the preceding six months after inspection at least 40 per cent on the score card prescribed by the State commissioner of health.

**REG. 7. Public display of permit.**—Permits to sell milk or cream shall be publicly displayed in such manner as may be prescribed by the health officer.

**REG. 8. Milk and cream to be kept only under sanitary conditions.**—No milk or cream shall be sold or kept for sale under any conditions which, in the opinion of the health officer, are not clean and sanitary.

All vessels containing such milk or cream for sale shall at all times be covered, kept cool, and so placed that the contents will not be exposed to sun, dust, dirt, flies, or other insects.

**REG. 9. Condition of bottling of milk and cream.**—No milk or cream shall be served or sold in bottles or offered for sale in bottles unless the bottling is done under clean and sanitary conditions at the place of production or at the collecting or distributing station. Each bottle shall be capped, and each cap shall show the name of the producer or dealer and the place of bottling.

**REG. 10. Receptacles to be kept in sanitary condition; when to be condemned and seized.**—Every can or other vessel which is used to contain milk or cream intended for sale shall be constantly kept in a clean and sanitary condition. When emptied and before being returned by the person to whom it was last delivered full or partly full, every such can or other vessel shall be effectively cleansed. The health officer or his representative shall condemn any such can or other vessel found by him to be in such condition that it can not be rendered by washing clean and sanitary as a receptacle for milk or cream, and shall destroy or so mark the condemned vessel as to show that it has been condemned. When so condemned and marked, such can or other vessel shall not be used again to contain milk or cream for sale. The health officer or his representative may seize and hold as evidence any can or other vessel returned or otherwise used in violation of this regulation.

**REG. 11. Utensils to be cleansed.**—All dippers, measures, or other utensils used in the handling of milk or cream intended for sale shall be maintained in a cleanly condition.

**REG. 12. Pasteurization.**—No milk or cream shall be sold or offered for sale as pasteurized unless it has been subjected to a temperature of 142° to 145° F. for not less than 30 minutes; and no milk or cream which has been heated by any method shall be sold or offered for sale unless the heating conforms to the provisions of this regulation.

After pasteurization the milk or cream shall be immediately cooled and placed in clean containers and the containers shall be immediately sealed.

**REG. 13. Designations of milk and cream restricted.**—All milk sold and offered for sale at retail shall bear one of the designations provided in this



regulation, which constitutes minimum requirements permitted in this municipality.

No term shall be used to designate the grade or quality of milk or cream which is sold or offered for sale, except "certified," "grade A raw," "grade A pasteurized," "grade B raw," "grade B pasteurized."

*Certified.*—No milk or cream shall be sold or offered for sale as "certified" unless it conforms to the following requirements:

The dealer selling or delivering such milk or cream must hold a permit from the health officer.

All cows producing such milk or cream must have been tested at least once during the previous year with tuberculin, and any cow reacting thereto must have been promptly excluded from the herd. The reports of such tuberculin tests must be filed with the health officer and the milk commission of the county medical society in the municipality and county, respectively, in which such milk is delivered to the consumer.

Such milk must not at any time previous to delivery to the consumer contain more than 10,000 bacteria per cubic centimeter and such cream not more than 50,000 bacteria per cubic centimeter.

Such milk and cream must be produced on farms which are duly scored on the score card prescribed by the State commissioner of health not less than 35 per cent for equipment and not less than 55 per cent for methods.

Such milk and cream must be delivered within 36 hours of the time of the milking.

Such milk and cream must be delivered to consumers only in containers filled at the dairy or central bottling plant.

The caps must contain the word "certified" and bear the certification of a milk commission appointed by the county medical society organized under and chartered by the Medical Society of the State of New York, and must also contain the name and address of the dairy as well as the date of milking.

Every employee before entering upon the performance of his duties shall be examined by a duly licensed physician and the reports of such examination shall be sent to the milk commission certifying the milk from such dairy.

The milkers and all persons handling the milk must be provided with suits and caps of washable material which shall be worn while milking or handling the milk and shall not be worn at other times. When not in use these garments must be kept in a clean place, free from dust. Not less than two clean suits and caps must be furnished weekly. The hands of the milkers must be washed with soap and hot water and well dried with a clean towel before milking.

*Grade A raw.*—No milk or cream shall be sold or offered for sale as "grade A raw" unless it conforms to the following requirements:

The dealer selling or delivering such milk or cream must hold a permit from the health officer.

All cows producing such milk or cream must have been tested at least once during the previous year with tuberculin, and any cow reacting thereto must have been promptly excluded from the herd.

Such milk must not at any time previous to delivery to the consumer contain more than 60,000 bacteria per cubic centimeter, and such cream not more than 300,000 bacteria per cubic centimeter.

Such milk and cream must be produced on farms which are duly scored on the score card prescribed by the State commissioner of health not less than 25 per cent for equipment, and not less than 50 per cent for methods.

Such milk and cream must be delivered within 36 hours from the time of milking, unless a shorter time shall be prescribed by the health officer.



Such milk and cream must be delivered to consumers only in containers sealed at the dairy or a bottling plant. The caps or tags must be white and contain the term "grade A raw" in large black type and the name and address of the dealer.

*Grade A pasteurized.*—No milk or cream shall be sold or offered for sale as "grade A pasteurized" unless it conforms to the following requirements:

The dealer selling or delivering such milk or cream must hold a permit from the health officer.

All cows producing such milk or cream must be healthy as disclosed by an annual physical examination.

Such milk or cream before pasteurization must not contain more than 200,000 bacteria per cubic centimeter.

Such milk must not at any time after pasteurization and previous to delivery to the consumer contain more than 30,000 bacteria per cubic centimeter, and such cream not more than 120,000 bacteria per cubic centimeter.

Such milk and cream must be produced on farms which are duly scored on the score card prescribed by the State commissioner of health not less than 25 per cent for equipment and not less than 43 per cent for methods.

Such milk and cream must be delivered within 36 hours after the pasteurization, unless a shorter time shall be prescribed by the health officer.

Such milk and cream must be delivered to consumers only in containers sealed at the dairy or a bottling plant. The caps or tags must be white and contain the term "grade A pasteurized" in large black type.

*Grade B raw.*—No milk or cream shall be sold or offered for sale as "grade B raw" unless it conforms to the following requirements:

The dealer selling or delivering such milk or cream must hold a permit from the health officer.

All cows producing such milk or cream must be healthy as disclosed by an annual physical examination.

Such milk must not at any time previous to delivery to the consumer contain more than 200,000 bacteria per cubic centimeter, and such cream not more than 750,000 bacteria per cubic centimeter.

Such milk and cream must be produced on farms which are duly scored on the score card prescribed by the State commissioner of health not less than 23 per cent for equipment and not less than 37 per cent for methods.

Such milk and cream must be delivered within 36 hours from the time of milking, unless a shorter time shall be prescribed by the health officer.

The caps or tags on the containers must be white, and contain the term "grade B raw" in large bright green type, and the name of the dealer.

*Grade B pasteurized.*—No milk or cream shall be sold or offered for sale as "grade B pasteurized" unless it conforms to the following requirements:

The dealer selling or delivering such milk or cream must hold a permit from the health officer.

All cows producing such milk or cream must be healthy as disclosed by an annual physical examination.

Such milk or cream before pasteurization must not contain more than 1,500,000 bacteria per cubic centimeter.

Such milk must not at any time after pasteurization and previous to delivery to the consumer contain more than 100,000 bacteria per cubic centimeter, and such cream not more than 500,000 bacteria per cubic centimeter.

Such milk and cream must be produced on farms which are duly scored on the score card prescribed by the State commissioner of health not less than 20 per cent for equipment and not less than 35 per cent for methods.

Such milk must be delivered within 36 hours, and such cream within 48 hours after pasteurization, unless a shorter time is prescribed by the health officer.

The caps or tags on the containers must be white and contain the term "grade B pasteurized" in large bright green type, and the name of the dealer.

**Grade C.**—No milk or cream shall be sold or offered for sale as "grade C raw" or as "grade C pasteurized."

The bacterial count herein required shall be made only at county or municipal laboratories or such other laboratories as may be approved by the State commissioner of health.

### PORTLAND, ME.

#### Milk and Milk Products—Production, Handling, and Sale. (Reg. Bd. of H., Aug. 8, 1919.)

**SECTION 1. Definition of terms.**—For the purposes of this by-law:

(a) The word "person" shall mean and include individual, partnership, and corporation, whether acting for themselves or as agents or employees.

(b) A "dairy" or "dairy farm" shall mean and include any place or premises where two or more milch cows are kept for the production of milk for sale.

(c) A "milk plant" shall mean and include any place where milk is received and prepared for sale or distribution after it has left the dairy or dairy farm.

(d) The word "milk" shall mean and include as far as may be applicable, milk, cream, skimmed milk, and butter milk, except where otherwise indicated.

(e) "Skimmed milk" shall mean milk from which substantially all of the milk fat has been removed.

(f) "Cream" shall mean that portion of the milk, rich in milk fat, which rises to the surface of the milk on standing, or is separated from it by centrifugal force, and containing not less than 18 per cent of milk fat.

(g) "Homogenized" or "emulsified" milk shall mean milk any portion of which has been subjected to the mechanical process of homogenization or emulsification, as the case may be.

(h) "Pasteurized milk" shall mean milk every portion of which has been heated to and for at least 30 minutes held at a temperature of approximately 145°, never less than 142° F., and immediately thereafter cooled to a temperature of 50° F. or less.

(i) "Certified milk" shall mean milk produced and handled in conformity with the "Methods and standards for the production and distribution of certified milk" adopted by the American Association of Medical Milk Commissions May 1, 1912, and amendments thereto, in effect at the time of production, and certified to by a milk commission constituted in compliance therewith.

(j) "Grade A milk" shall mean milk all of which is produced from healthy cows, as determined by the tuberculin test and physical examination within not exceeding one year previously by a qualified veterinarian, which milk shall not at any time prior to delivery to consumer contain more than 100,000 bacteria per cubic centimeter, and which shall be put in the final container at the place of production.

(k) "Grade A cream" shall mean cream every portion of which is derived from grade A milk, and such cream shall not at any time prior to delivery to consumer contain more than 500,000 bacteria per cubic centimeter and which shall be put in the final container at the place of production.

(l) "Grade A pasteurized milk" shall mean grade A milk which has been subjected to the process of pasteurization as defined in this by-law and shall contain not more than 10,000 bacteria per cubic centimeter when delivered to the consumer.

(m) "Grade A pasteurized cream" shall mean grade A cream which has been subjected to the process of pasteurization as defined in this by-law and shall contain not more than 50,000 bacteria per cubic centimeter when delivered to the consumer.

(n) "Grade B milk" shall mean milk all of which is produced from healthy cows, as determined by physical examination within not exceeding one year previously by a qualified veterinarian, which milk shall not at any time prior to pasteurization contain more than 500,000 bacteria per cubic centimeter and after pasteurization and prior to delivery to consumer not more than 50,000 per cubic centimeter.

(o) "Grade B cream" shall mean cream derived from grade B milk, and such cream shall not at any time prior to pasteurization contain more than 1,000,000 bacteria per cubic centimeter and after pasteurization and prior to delivery to consumer not more than 200,000 bacteria per cubic centimeter.

(p) The legend "baby" or "baby milk" or any other legend or device upon any milk container, cap, stopper, or wrapper which may be construed as a guaranty of excellence shall be used only when the milk conforms in quality to "certified milk" or to "grade A milk pasteurized" as defined in this by-law.

SEC. 2. No person shall sell or deliver for consumption as milk or have in his possession with intent to sell or deliver for consumption as milk either—

(a) Milk to which water or any other foreign substance has been added; or

(b) Milk containing less than 3.25 per cent of milk fat or less than 11.75 per cent of total solids; or cream containing less than 18 per cent of milk fat; or

(c) Skimmed milk which has not been pasteurized or made from pasteurized milk, or which is not labeled "skimmed milk"; or

(d) Milk containing, or which has been exposed to, any disease-producing bacteria; or

(e) Milk the container of which is labeled or branded so as to mislead or deceive the purchaser; or

(f) Milk produced from diseased cows, or from cows during the period of 15 days preceding parturition or within such time thereafter as the milk is abnormal, or from cows which have been fed unwholesome food or have had access to contaminated water; or

(g) Milk which falls below the requirements of grade B as defined herein or milk which has been produced, stored, handled, or transported in any unclean or insanitary manner; or

(h) Milk as to the methods of production, storage, handling, or transportation of which this board of health or any of its representatives shall have been refused full opportunity to inspect; or

(i) Milk the retail or the final container of which does not bear a plain and conspicuous statement showing the kind and grade, as herein defined, together with the name or trade name of the dealer or distributor thereof; and in the case of pasteurized milk, the day or date of pasteurization; or

(j) Milk which immediately after production has not been cooled to and kept at a temperature of 50° or less Fahrenheit except during the process of pasteurization; or

(k) Grade B milk which has not been pasteurized according to the requirements of this by-law, or which at any time after pasteurization and before delivery to consumer contains more than 50,000 bacteria per cubic centimeter; or

(1) Grade B cream which has not been pasteurized according to the requirements of this by-law, or which at any time after pasteurization and before delivery to consumer contains more than 100,000 bacteria per cubic centimeter; or

(m) Milk which has been pasteurized a second time; or

(n) Homogenized milk or emulsified milk unless it is plainly and conspicuously labeled "homogenized" or "emulsified," as the case may be; or

(o) Milk which has had the cream line increased by any artificial means.

SEC. 3. Nothing in this by-law shall be construed to prohibit the sale, when labeled so as to show its true character, of either (a) sour milk, or (b) butter-milk or any similar product made from pasteurized milk, or (c) modified milk if made from milk equal at least to grade B pasteurized.

SEC. 4. No person shall sell or deliver, or have in his possession with intent to sell or deliver for consumption as milk, any milk without a license from the board of health of the city of Portland. All licenses shall expire on the 31st day of December next following their issue and shall be renewed only upon application as provided in section 5. Licenses are not transferable.

SEC. 5. Every person desiring to engage in the sale, delivery, or distribution of milk in the city of Portland shall first make written application to the board of health thereof for permission so to do upon such forms and in such detail as said board may prescribe. In case the applicant desires to sell milk from dairies other than his own, he shall first obtain from the board of health a license for each dairy.

SEC. 6. No monetary fee shall be charged for any license provided for by this by-law, but in lieu thereof every holder of a license shall, when called upon to do so, surrender a reasonable sample of milk, not exceeding 1 pint, to the board of health or the health officer or his deputy, who, on demand, shall give a proper receipt therefor: *Provided*, That not more than four such samples shall be taken in any one month.

SEC. 7. Every person engaged in the production, storage, transportation, sale, delivery or distribution of milk on the occurrence of any case or cases of infectious or contagious diseases, either in himself or in his family, or among his employees or their immediate associates or within the building or premises where milk is handled, stored, sold, or distributed, shall immediately notify the Portland Board of Health. No vessels, apparatus, or utensils which have been handled by persons suffering from such diseases, or which have been used in a house or family under quarantine, shall be used to handle, hold, or convey milk until they have been thoroughly sterilized. No milk bottle or container shall be removed from any premises under quarantine.

SEC. 8. No person shall sell or offer, expose, or keep for sale, in any shop, store, or other place any milk in quantities less than two gallons unless the same is sold, offered, exposed, or kept for sale in tightly closed or capped bottles or receptacles. Nothing contained herein shall prevent the sale of milk from cans, crocks, coolers, or other receptacles in restaurants, hotels, or at soda fountains, when the milk is to be consumed on the premises by patrons ordering the same.

SEC. 9. No person engaged in the business of selling or delivering milk in the city of Portland shall fill bottles or other receptacles with milk in any public or private way or in any place, the location of which has not been licensed by the board of health as prescribed in sections 4 and 5.

SEC. 10. Whoever tests milk which is to be offered for sale in any form by tasting shall do so by means of a properly sterilized instrument, and such instrument shall not again be brought in contact with milk until after being thoroughly washed and sterilized; and no part of the person or of the clothing of any person handling milk for sale shall come in contact with such milk.



SEC. 11. No pasteurizing apparatus shall be used the type, method, and place of installation of which has not been approved by the board of health.

SEC. 12. Each pasteurization apparatus shall be equipped with an automatic time and temperature recording apparatus approved by the board of health, which apparatus shall accurately record the temperature and length of time the milk has been heated and held. The records made by this recording apparatus shall be accurately dated and kept on file, subject at all time to the inspection of the board of health or its duly authorized agents or inspectors.

SEC. 13. During transportation from dairy to milk plant, all containers of milk, cream, or skimmed milk or butter milk shall be tagged or marked so as to show clearly the names of the consignor and consignee.

SEC. 14. The board of health or its health officer or any of its duly appointed inspectors may seize and destroy any milk which is produced, stored, sold, offered for sale or distributed contrary to the requirements of this by-law.

SEC. 15. Upon conviction of any person of any violation of this by-law, the penalty for which is not specifically provided by law, such person shall be punished by a fine of not exceeding \$50.

SEC. 16. All by-laws heretofore in force relating to the production, sale, distribution, or handling of milk passed by this board of health or previous boards of health, are hereby repealed.

## ST. PAUL, MINN.

### Milk and Cream—Production, Handling, and Sale. (Ord. 5148, Aug. 22, 1919.)

#### SECTION 1. DEFINITION OF TERMS.

*Definition of terms as used in this ordinance.*—The word "person" shall include any and all individuals, firms, associations, and corporations. The word "milk" shall include milk and cream intended for human consumption as milk or cream, but shall not include condensed milk in hermetically sealed cans, or milk or cream intended for the manufacture of butter, cheese, condensed milk, or ice cream. The words "sell," "sale," and "sold" shall include all transactions of a mercantile character, viz, to sell, or exchange, or expose, or offer for sale or exchange. The abbreviation "c. c." shall mean and stand for cubic centimeter. The words "score" and "scoring" shall mean the rating based upon the standards of perfection of the score cards established by the Bureau of Animal Industry, United States Department of Agriculture.

#### SEC. 2. DEFINITION OF INSPECTION.

*PART 1. Duties of health officer.*—It shall be the duty of the health officer to enforce the provisions of this ordinance. The health officer shall inspect or cause to be inspected all dairies, pasteurizing plants, and other places where milk intended for sale in the city of St. Paul is produced or handled, for the purpose of determining whether such places are equipped and operated in a proper maner for producing or handling milk. Refusal to permit such inspection on the part of the owner or person in charge shall be sufficient cause for excluding from sale in the city of St. Paul milk produced or handled in such places.

*PART 2. Duties of inspectors.*—It shall be the duty of the inspectors to keep a record of all places where milk offered for sale within the city of St. Paul is produced or handled. The inspectors shall have authority, and it shall be their duty, to enter and have full access to all places where milk is produced, stored, or offered for sale, and to all vehicles used in the delivery of milk in the city



of St. Paul, and to give advice and assistance to dairymen and dealers in milk in the matter of improving the condition of their dairies.

**PART 3. Authority to take samples.**—The inspectors shall have authority to take samples of milk from any vehicle used in transporting milk, or from any place where milk intended for sale in the city of St. Paul is produced or handled, and every person selling milk in the city of St. Paul shall upon request furnish free of charge to said inspectors all such necessary samples of milk for the purpose of enforcing the provisions of this ordinance.

#### SEC. 3. DEFINITION OF MILK.

**PART 1. Legal milk.**—All milk sold in the city of St. Paul shall be the fresh, clean normal lacteal product from healthy cows, outside the period of 15 days before and 5 days after calving, or until free from colostrum. It shall be free from visible dirt, pathogenic bacteria, objectionable odor, flavor, or color, and shall contain not more than two-tenths per cent acidity. It shall contain not less natural butter fat, not less milk solids not fat, nor less total milk solids than required by the State law, and not more water than permitted by the State law. Its specific gravity shall be not less than 1.030 at 60° F; it shall contain no added substance except normal equally pure milk or cream. The mixing or blending of different lots of milk, cream, or skim milk which conforms to the standards established by this ordinance for the purpose of standardizing the butter-fat content is not prohibited.

**PART 2. Adulterated milk.**—No milk which is adulterated shall be sold in the city of St. Paul. The term "adulterated milk" as used in this ordinance means:

1. Milk containing more water or fluids than permitted by the State law.
2. Milk containing less total milk solids than required by the State law.
3. Milk containing less fats than required by the State law, excepting milk sold as "skim milk."
4. Milk drawn from cows within 15 days before or 5 days after calving, or until free from colostrum.
5. Milk drawn from cows fed on any unwholesome food.
6. Milk drawn from cows kept in a crowded or unhealthful condition.
7. Milk drawn from cows suffering from tuberculosis or any other disease.
8. Milk to which water or any other foreign substances has been added.
9. Milk which, when delivered to the consumer, has a temperature higher than 55° F., raw milk containing more than 200,000 bacteria per cubic centimeter, or pasteurized milk containing more than 2,000,000 bacteria per cubic centimeter before pasteurization and containing more than 50,000 bacteria per cubic centimeter after pasteurization.
10. Cream which, when delivered to the consumer, has a temperature higher than 55° F., raw cream containing more than 1,000,000 bacteria per cubic centimeter, or pasteurized cream containing more than 500,000 bacteria per cubic centimeter.

#### SEC. 4. CLASSIFICATION OF MILK.

**Classes of milk.**—All milk sold in the city of St. Paul shall be one of the following classes, viz, "certified milk," "raw milk," or "pasteurized milk."

**PART 1. Certified milk** shall be milk produced and handled in accordance with the regulations of the State board of health and shall answer all the requirements of this ordinance concerning raw milk.

**PART 2. Raw milk** shall be from tuberculin tested and nonreacting cows. It shall not contain more than 200,000 bacteria per cubic centimeter when delivered

to the consumer. It shall come from dairies or bottling plants scoring not less than 60 points, 20 on equipment and 40 on methods. It shall conform to the requirements of section 3, part 1, and all other regulations on milk production and handling contained in this ordinance, excepting that of pasteurization.

**PART 3. Pasteurized milk** shall be milk containing not more than 2,000,000 bacteria per cubic centimeter before pasteurization, and after pasteurization the count shall not exceed 50,000 bacteria per cubic centimeter when delivered to the consumer. It shall be pasteurized according to the provisions of this ordinance and shall come from pasteurizing plants scoring not less than 60 points, 20 on equipment and 40 on methods. The milk shall come from clean dairies scoring not less than 50 points, 20 on equipment and 30 on methods. It shall conform to the requirements of section 3, part 1, and to all other regulations on production, handling, and pasteurization contained in this ordinance.

**PART 4. Cream** is hereby defined as that portion of milk which, rich in natural milk fat, rises to the surface or is removed by centrifugal force. If it is to be sold as "raw cream" it shall have been produced by tuberculin tested and nonreacting cows, and contain not more than 1,000,000 bacteria per cubic centimeter when delivered to the consumer. If sold as "pasteurized cream" it shall have been pasteurized according to the provisions of this ordinance and contain not more than 500,000 bacteria per cubic centimeter when delivered to the consumer. Raw and pasteurized cream shall not contain less natural butter fat than required by the State law.

**PART 5. Whipping cream.**—Cream offered for sale as "whipping cream" must conform to the requirements of the preceding part and shall not contain less than 30 per cent natural butter fat.

**PART 6. Skim milk.**—Milk sold as "skim milk" shall have been produced by the removal of fat from milk classified in parts 2 and 3 of this section. It shall contain not less than 8.25 per cent of solids not fat and not more than 1 per cent butter fat, and if sold as "raw skim milk" it shall have been produced by tuberculin tested and nonreacting cows, and if sold as "pasteurized skim milk" it shall have been pasteurized according to the provisions of this ordinance. It is hereby provided that any person offering "skim milk" for sale shall have the cans or containers plainly labeled with the words "skim milk." Skim milk intended for human consumption must be handled in a clean manner and not put into dirty or rusty receptacles.

**PART 7. Buttermilk and fermented milk** offered for sale for human consumption, whether sold as "buttermilk" or under a trade name, shall be either natural buttermilk produced from cream that has been pasteurized according to the requirements of this ordinance or shall have been made artificially from milk or skim milk produced from tuberculin tested and nonreacting cows or from milk or skim milk that has been pasteurized according to the requirements of this ordinance and shall contain not less than 8 per cent of milk solids and shall be handled in a clean manner and shall not be put into dirty or rusty receptacles.

#### SEC. 5. CLASSIFICATION OF DAIRIES AND DEALERS.

*Classes and grades of milk producers and dealers* as required by this ordinance are as follows:

**PART 1. Class 1; retail producers.**—All persons who bottle and sell to the consumer or dealer raw milk produced at his own dairy are graded as follows:

**Grade A dairies.**—Consists of all dairies whose milk contains not less than 8.5 per cent butter fat and not more than 200,000 bacteria per cubic centimeter,

and whose cream contains not more than 1,000,000 bacteria per cubic centimeter when delivered to the consumer or dealer and scoring not less than 75 points—25 on equipment and 50 on methods.

*Grade B dairies.*—Consists of all dairies whose milk contains not less butter fat than required by the State law and not more than 200,000 bacteria per cubic centimeter, and whose cream contains not more than 1,000,000 bacteria per cubic centimeter when delivered to the consumer or dealer and scoring not less than 60 points—20 on equipment and 40 on methods.

In scoring dairies in this class who buy part of their milk supply from other dairies, the score of the dairies from which the milk is received will be averaged with the score of the dairy distributing the milk.

Milk from dairies scoring below 60 points can be sold to pasteurizing plants only.

**PART 2. Class 2; wholesale producers.**—All persons who sell to pasteurizing plants only raw milk produced at his own dairy.

*Wholesale producers.*—Consists of all dairies whose milk contains not less butter fat than required by the State law and not more than 2,000,000 bacteria per cubic centimeter when delivered to the pasteurizing plant and scoring not less than 50 points—20 on equipment and 30 on methods.

Milk from dairy farms scoring below 50 points and milk from receiving stations and creameries scoring below 60 points shall not be sold in the city of St. Paul.

**PART 3. Class 3; milk distributors.**—All persons who operate pasteurizing plants who bottle and sell milk to the consumer or dealer are graded as follows:

*Grade A dairies.*—Consists of all pasteurizing plants whose milk contains not less than 3.5 per cent butter fat and not more than 50,000 bacteria per c. c. and whose cream contains not more than 50,000 bacteria per c. c. when delivered to the consumer or dealer and scoring not less than 75 points, 25 on equipment and 50 on methods.

*Grade B dairies.*—Consists of all pasteurizing plants whose milk contains not less butter fat than required by the State law and not more than 50,000 bacteria per c. c. and whose cream contains not more than 500,000 bacteria per c. c. when delivered to the consumer or dealer and scoring not less than 60 points, 20 on equipment and 40 on methods.

**PART 4. Class 4; milk depots and vendors.**—All persons who bottle and sell to the consumer or dealer milk produced by other persons.

*Grade A dairies.*—Consists of all milk depots and vendors whose milk contains not less than 3.5 per cent butter fat and whose raw milk contains not more than 200,000 bacteria per c. c. and whose raw cream contains not more than 1,000,000 bacteria per c. c. and whose pasteurized milk contains not more than 50,000 bacteria per c. c. and whose pasteurized cream contains not more than 500,000 bacteria per c. c. when delivered to the consumer or dealer and scoring not less than 75 points, 25 on equipment and 50 on methods.

*Grade B dairies.*—Consists of all milk depots and vendors whose milk contains not less butter fat than required by the State law and whose raw milk contains not more than 200,000 bacteria per c. c. and whose raw cream contains not more than 1,000,000 bacteria per c. c. and whose pasteurized milk contains not more than 50,000 bacteria per c. c. and whose pasteurized cream contains not more than 500,000 bacteria per c. c. when delivered to the consumer or dealer and scoring not less than 60 points, 20 on equipment and 40 on methods.

**PART 5. Class 5; grocers, confectioners, etc.**—All persons who sell to the consumer milk bottled by dealers in classes 1, 3, and 4 of this section.

## SEC. 6. REGULATING THE SALE OF MILK.

**PART 1. Permit required.**—No person shall sell milk to consumers or dealers or for manufacturing purposes excepting butter, cheese, condensed milk, and ice cream within the city of St. Paul without first obtaining a permit therefor, as herein provided. Any person holding a city license to conduct a barroom, restaurant, hotel, or public eating house shall conform to the requirements of this ordinance in the obtaining, handling, and dispensing of milk, and shall not be required to take out a permit.

**PART 2. Application for permit.**—Any person desiring a permit to sell milk in the city of St. Paul shall file with the health officer a written application for such permit on the form provided therefor.

The application shall state in full as follows:

(a) Name, place of business, and post-office address of the applicant, together with the number of vehicles to be used in delivering milk.

(b) Name of the owner and location of each dairy, dairy herd, and pasteurizing plant from which milk is to be obtained.

(c) Class of milk to be sold, viz, "certified milk," "raw milk," "pasteurized milk."

(d) Nature of business to be conducted as classified below:

**Class 1; retail producers.**—A person who bottles and sells to the consumer or dealer raw milk produced at his own dairy.

**Class 2; wholesale producer.**—A person who sells to a pasteurizing plant only raw milk produced at his own dairy.

**Class 3; milk distributor.**—A person who operates a pasteurizing plant who bottles and sells milk to the consumer or dealer.

**Class 4; milk depots and vendors.**—A person who bottles and sells to the consumer or dealer milk produced by other persons.

**Class 5; grocers, confectioners, etc.**—A person who sells to the consumer milk bottled by dealers in classes 1, 3, and 4.

**PART 3. Granting of permit.**—Being satisfied that the applicant has complied with the requirements of this ordinance and is a fit and proper person to receive a permit, the health officer shall issue without charge to the applicant a permit to sell milk. The permit shall state the name and place of business of the applicant, the class of milk to be sold, and the nature of business to be conducted, together with the permit number and grade of dairy. All permits issued under this ordinance shall be for not more than one year and shall expire June 30, unless sooner revoked. No permit shall be sold or transferred.

**PART 4. Metal tags for vehicles.**—The health officer shall furnish to each person (who delivers by vehicle) to whom a permit is granted two metal tags for each vehicle used for the delivery of milk to the consumer, stating the name of the city, grade of dairy, and permit number. The milk dealer shall at all times keep the two metal tags on each vehicle, one on each outer side. These tags remain the property of the bureau of health and are not transferable. The permit must also be posted in a conspicuous place at each place of business.

## SEC. 7. REQUIREMENTS OF CLASS 1 (RETAIL PRODUCERS).

**PART 1. Application for permit; test required.**—Every person under this class shall submit his application for a permit to the health officer, with a record of test showing that all of the cattle over 6 months of age of his dairy herd or the herds from which his supply of milk is obtained have been given the tuberculin test within nine months by a graduate veterinarian approved by the State live-stock sanitary board and the bureau of health, and according to



the regulations for that test prescribed by the United States Department of Agriculture, Bureau of Animal Industry. After such inspection, examination, and test of such cattle and dairy herds as herein provided every animal so examined and tested and found free from tuberculosis shall be tagged in the right ear, and those reacting to said test shall be tagged in the left ear, by the person making such test with a tag duly numbered and of such character as to afford a permanent record of such test. It shall be unlawful for any person to remove or tamper with any tag placed in any such condemned animal.

*Condemned animals.*—All animals which have been condemned by the veterinarian making the test shall be removed from the herd at once and shall be taken from the premises for slaughter within three days. Such animals shall be disposed of for slaughter only according to the laws of the State and at only such places and in such manner as designated by the State live-stock sanitary board. After the removal of any tuberculous animal from a dairy the stable shall be renovated in a manner approved by the bureau of health. And all herds in which tuberculosis is found shall be subject to examination and retest in accordance with the regulations of the State live-stock sanitary board. It shall be unlawful for any person to add any cows to his herd that have not been tested for tuberculosis within nine months and found to be free from it.

*PART 2. The cows* shall be kept reasonably clean at all times; before milking the teats, udders, and flanks shall be carefully cleaned. It shall be the duty of any person having charge of any dairy at which cows are kept to isolate any cow or cows affected by any disease or sick from any cause or which he may have reason to believe are so affected, and to exercise such other precautions as may be directed by the bureau of health. All animals with retained afterbirth or mastitic shall be removed from the dairy herd until such time as they have made a complete recovery.

*PART 3. The feed.*—Only food of good quality and free from dirt, mold, or injurious fermentation shall be used. The inspector shall, within his jurisdiction, condemn any impure food kept for the purpose of feeding cows. The water supply shall be pure and so located, arranged, or constructed that it can not become contaminated by drainage from any source.

*PART 4. The milk handlers.*—No person with a communicable disease, including tuberculosis, venereal diseases, and acute tonsillitis, and no person properly diagnosed as "disease carriers" shall handle or come in contact in any way with the milk or milk utensils. The existence of any communicable disease or suspected communicable disease among the persons at any dairy, or other places where milk is handled shall be reported to the bureau of health by the person in charge. All persons engaged in handling milk who have been in recent contact with a case of communicable disease shall not continue work until they have received the permission of the bureau of health or the State board of health.

*PART 5. The milking.*—All persons while milking or handling milk shall wear clean, washable outer garments. The hands of the milkers must be thoroughly washed before milking with soap and water and dried with a clean, dry towel. The hands and teats shall be kept dry during milking or a milking machine which has been sterilized may be used. Pails into which milk is drawn from the cows shall have small tops. All milk cans shall be kept covered while in the stable. The milk shall be cooled within 30 minutes after it is drawn to a temperature below 50° F., and thereafter stored at such temperature until delivered.

*PART 6. The stable* shall have good drainage. No building shall be used to stable cows in for the production of milk to be sold in the city of St. Paul unless it is in good repair. The floors and gutters shall be water-tight, and so graded



as to permit prompt drainage. The walls, ceiling, and ledges shall be as nearly dustproof as possible and at all times kept reasonably free from dirt and cobwebs. The walls and ceilings shall be whitewashed once each year or oftener unless the construction renders it unnecessary. The air space, ventilation, and light shall be required as follows: Cow stables shall contain not less than 400 cubic feet of air space for each cow, and shall be provided with some adequate means of ventilation to keep the air fresh and the cows comfortable. Cow stables shall contain not less than 2 square feet of window area to each cow, evenly distributed. Windows should be hinged at the bottom and swing inward and must be kept clean. Stall ties: Cow stables shall be provided with swinging stanchions or other comfortable and sanitary means of fastening. The manure shall be removed from the stable twice daily but not immediately before milking. It must not be thrown out through windows but removed through the doors to a distance not less than 50 feet from the stable. Sufficient clean bedding shall be provided.

PART 7. *The barnyard* shall be well drained and kept in such condition that the cows' udders, teats, or flanks can not become defiled. Privies, hog pens, manure piles, or other surroundings which pollute the air and furnish breeding places for flies must not be within 50 feet of the cow stable.

PART 8. *The milk house*.—Each dairy from which milk is sold at retail in the city of St. Paul must have a milk house of such size that it may be kept in a sanitary condition. It shall have no direct connection with any stable or dwelling room, and shall be used only for the cooling, separating, bottling, and storing of milk and the operations incident thereto. It shall be provided with sufficient light and ventilation and in winter with sufficient artificial heat and light. The walls and ceiling shall be of smooth surface and painted unless the construction renders it unnecessary. The floors shall be of cement or other material impervious to water and so graded as to permit prompt drainage. Screens: The milk house shall be effectively screened from May 1 to November 1, and kept free from flies, dogs, cats, and poultry. Screen doors shall open outward and be provided with self-closing devices. The handling of milk: The milk house should be divided into at least two rooms, the one to be used exclusively for the cooling, storing, separating, and bottling of milk. This room shall contain a covered cooling tank, which shall be provided with an ample supply of clean water and drained and cleaned once a week or oftener. Surface coolers, unless located in this room, must be protected by a suitable metal cover. No milk may be bottled at the dairy except in the milk room. The other room shall be used for the cleaning and storing of utensils only and must not be used as a laundry, storeroom or for any other purpose except that pertaining to the handling of milk. It must be provided with proper equipment for the washing and care of bottles, cans, pails, etc., viz, a washing tank, can rack, and a sufficient supply of hot and cold water. Wash basin, soap, and towel shall be provided for the use of milkers before and during milking. Privies, poultry houses, hog pens, manure piles, or surroundings which pollute the air or furnish breeding places for flies must not be within 50 feet of the milk house. Outside privies must be effectively screened from May 1 to November 1.

PART 9. *The utensils and apparatus* used in handling or bottling milk shall be thoroughly cleaned, including all bottles and cans, which shall be effectively sterilized and then properly drained, aired, and cooled before being used.

PART 10. *The bottling*.—All milk intended to be sold direct to the consumer or dealer shall be bottled at the dairy except in cases of consumers or dealers receiving  $2\frac{1}{2}$  gallons or more at one delivery, in which case it may be put in cans which must be sealed at the dairy. The apparatus used in bottling milk

and capping bottles shall be so constructed that the milk and caps used will not come in contact with human hands. Caps for bottles shall be obtained in sterilized tubes and shall remain protected from contamination until used.

**PART 11. Caps and labels.**—Each bottle of milk shall be labeled on the cap so as to show kind of milk, i. e., milk, cream, whipping cream, skim milk, or buttermilk, giving the name of the producer or distributor, together with the classification of milk, i. e., certified, raw, or pasteurized. All other containers used in delivering milk to consumers or dealers shall be labeled on a tag as prescribed above.

**PART 12. The delivery.**—Each vehicle used for the delivery of milk to the consumer shall have the name of the dairy or owner thereof painted on each outer side in letters large enough to be seen at a distance of 100 feet, together with the permit tags provided by the bureau of health. In cases of change of ownership, the names on the vehicles must be changed within 60 days. All milk delivery vehicles shall be neatly painted and kept clean and must have a top or be provided with a suitable clean canvas cover. No waste matter shall be hauled in any vehicle used for the delivery of milk. Milk which is to be delivered to consumers shall be kept at a temperature below 55° F. from the time it is bottled or put in cans until it is delivered. Milk shall not be bottled or changed from its containers at any place other than the milk house at the dairy. No driver on the route shall have in his possession any caps for milk bottles. In delivering milk to a house where a contagious or infectious disease exists the milkman shall not enter, neither shall he permit any of his bottles or cans to be taken into such house, but shall pour such milk as each family may require into vessels furnished by them. If bottles have been previously left, they must remain until quarantine has been raised, then sterilized before being accepted. Milk tickets shall be used but once.

**PART 13. Dirty bottles and cans.**—Milk bottles or other receptacles for milk shall not be used by milk dealers or consumers for any other purpose than containing milk. Milk bottles and cans shall be thoroughly rinsed by consumers with clean water immediately after being emptied. It shall be unlawful to return dirty or unwashed bottles or cans to the delivery man or store, and delivery men and storekeepers are forbidden to receive any dirty milk bottles or cans.

#### SEC. 8. REQUIREMENTS OF CLASS 2. (WHOLESALE PRODUCERS.)

**PART 1. Application for permit.**—Every person under this class shall submit to the health officer an application for a permit to sell milk and with it the assurance that all cows from which the milk supply is obtained are in a healthy condition.

**PART 2. The milk.**—The milk shall conform to section 3, part 1, of this ordinance, and in addition shall have a temperature not higher than 65° F. nor contain more than 2,000,000 bacteria per cubic centimeter when delivered to the pasteurizing plant and shall have been produced at dairies scoring not less than 50 points—20 on equipment and 30 on methods. Receiving stations or creameries delivering milk to pasteurizing plants in the city of St. Paul shall score not less than 60 points—20 on equipment and 40 on methods—and shall supply only milk produced at dairies scoring not less than 50 points—20 on equipment and 30 on methods—and shall furnish a complete list of the source of supply to the bureau of health at any time requested.

**PART 3. The utensils.**—All utensils used in handling milk, including cans in which milk is delivered, although washed at the place of delivery, shall be thoroughly cleaned and aired before being used.

**PART 4. The delivery.**—All cans used for delivering milk to pasteurizing plants direct from producers must have the name and address of the producer stamped on a metal tag, said tag to be affixed to each can. Producers whose milk is left to be picked up for delivery by vehicle shall provide a proper platform at place of collection. Each vehicle used for the delivery of milk in cans to distributors must be provided with a suitable clean canvas cover.

Transportation companies bringing milk into the city of St. Paul shall maintain at the delivery point suitable structures to protect the milk from the weather. All milk delivered to distributors by vehicle or rail must be in cans sealed at the dairy.

#### SEC. 9. REQUIREMENTS OF CLASS 3. (MILK DISTRIBUTORS.)

**PART 1. Application for permit.**—Every person under this class shall submit his application for a permit to the health officer, with a complete list of the source of his milk supply, and shall furnish the bureau of health with such a list at any time requested.

**PART 2. The milk supply** to be pasteurized may be received from any producer in classes 1 and 2, or from any creamery or receiving plant within a reasonable distance, provided that the milk is kept at a temperature below 65° F. The milk supply, to be sold raw, shall be bottled at the dairy from which it is received and shall comply with the requirements of section 7 of this ordinance.

**PART 3. The milk handlers.**—No person with a communicable disease, including tuberculosis, venereal diseases, and acute tonsillitis, and no persons properly diagnosed as "disease carriers," shall handle or come in contact in any way with the milk or milk utensils. The existence of any communicable disease or suspected communicable disease among the persons at any dairy or other places where milk is handled shall be reported to the bureau of health by the person in charge. All persons engaged in handling milk who have been in recent contact with a case of communicable disease shall not continue work until they have received the permission of the bureau of health or the State board of health, and, in addition, all persons who handle or bottle milk in pasteurizing plants shall furnish a health certificate from the bureau of health.

**PART 4. The pasteurizing plant.**—All pasteurizing plants shall be constructed so that all rooms in which milk is handled or in which milk apparatus and utensils are washed shall have dust-proof walls and ceilings. The walls and ceiling, unless constructed of concrete, smooth, brick or tile, shall be kept sufficiently painted a light color. The floors shall be water-tight, with good drainage. All drains shall be properly trapped, and when not discharged into the city sewer must be drained into cesspools or septic tanks situated at least 50 feet from the building. All rooms in which milk is handled and in which milk apparatus and utensils are washed shall be adequately lighted and be provided with sufficient ventilation.

**Screens.**—The windows and doors shall be effectively screened from May 1 to November 1, and all rooms in which milk is handled must be kept free from flies, dogs, and cats. Screen doors shall be provided with self-closing devices.

**Toilets.**—Suitable toilet facilities must be provided for the use of employees. Locker rooms or toilets shall not open directly into any room in which milk or milk utensils are handled. The room in which milk is handled and the surrounding premises shall be maintained in a clean and sanitary condition. Rooms used for pasteurizing, cooling, bottling, or storing milk shall not be used for purposes other than handling dairy products. All weigh cans, storage vats, mixing vats, and other apparatus shall be constructed of tinned copper or other suitable material, and all angle joints shall be smoothly soldered. All vats

shall be provided with closely fitting metal covers. The milk pipes and pumps shall be of sanitary construction and so arranged that they may be easily opened or taken apart for cleaning. The use of tightly closed elbow joints is prohibited. Water and steam pipes shall be kept clean and free from dirt and rust. Surface coolers, unless located in a room used only for cooling milk, shall be protected by a suitable metal or glass cover. Suitable facilities shall be provided for washing and sterilizing all apparatus, bottles, cans, and utensils, and they shall be cleaned and sterilized with live steam before each use. An adequate supply of pure water shall be provided at all times. Pasteurizing apparatus shall be sterilized immediately before the process is begun. All persons while handling milk shall wear clean, washable outer garments. The use of tobacco, snuff, and intoxicants where milk is handled is prohibited. Cans in which milk is delivered to pasteurizing plants shall be thoroughly washed, sterilized, dried, and closed for transit to be returned to the shipper or producer.

PART 5. *Pasteurization* is hereby defined as a process by which milk is rapidly heated to a temperature of not less than 145° F., and held at this temperature for not less than 30 minutes and then cooled immediately to a temperature of below 45° F. Each pasteurizing apparatus shall be equipped with an approved type of an automatic time and temperature recording device which shall record the temperature at which the milk has been heated and the length of time for which it was held: *Provided, however*, That this does not apply to pasteurizers of the continuous or automatic type. In pasteurizers of the continuous or automatic type the automatic time and temperature recording device shall be attached to record the temperature of the milk as it leaves the holder. The recording charts shall be dated and mailed to the bureau of health on Monday of each week: *Provided, however*, That cream may be pasteurized by the flash process if it is heated to a temperature of not less than 175° F.

PART 6. *The utensils and apparatus* used in handling or bottling milk shall be thoroughly cleaned, including all bottles and cans, which shall be effectively sterilized and then properly drained, aired, and cooled before being used.

PART 7. *The bottling*.—All milk intended to be sold direct to the consumer or dealer shall be bottled at the dairy except in cases of consumers or dealers receiving 2½ gallons or more at one delivery, in which case it may be put in cans, which must be sealed at the dairy. The apparatus used in bottling milk and capping bottles shall be so constructed that the milk and caps used will not come in contact with human hands. Caps for bottles shall be obtained in sterilized tubes and shall remain protected from contamination until used.

PART 8. *Caps and labels*.—Each bottle of milk shall be labeled on the cap so as to show kind of milk; i. e., milk, cream, whipping cream, skim milk, or buttermilk, giving the name of the producer or distributor, together with the classification of milk; i. e., certified, raw, or pasteurized. All other containers used in delivering milk to consumers or dealers shall be labeled on a tag as prescribed above.

PART 9. *The delivery*.—Each vehicle used for the delivery of milk to the consumer shall have the name of the dairy or owner thereof painted on each outer side in letters large enough to be seen at a distance of 100 feet, together with the permit tags provided by the bureau of health. In cases of change of ownership, the names on the vehicles must be changed within 60 days. All milk-delivery vehicles shall be neatly painted and kept clean and must have a top or be provided with a suitable clean canvas cover. No waste matter shall be hauled in any vehicle used for the delivery of milk. Milk which is to be



delivered to consumers shall be kept at a temperature below 55° F. from the time it is bottled or put in cans until it is delivered. Milk shall not be bottled or changed from its containers at any place other than the milk house at the dairy. No driver on the route shall have in his possession any caps for milk bottles. In delivering milk to a house where a contagious or infectious disease exists, the milkman shall not enter, neither shall he permit any of his bottles or cans to be taken into such house, but shall pour such milk as each family may require into vessels furnished by them. If bottles have been previously left, they must remain until quarantine has been raised, then sterilized before being accepted. Milk tickets shall be used but once.

**PART 10. *Dirty bottles and cans.***—Milk bottles or other receptacles for milk shall not be used by milk dealers or consumers for any other purpose than containing milk. Milk bottles and cans shall be thoroughly rinsed by consumers with clean water immediately after being emptied. It shall be unlawful to return dirty or unwashed bottles or cans to the delivery man or store, and delivery men and storekeepers are forbidden to receive any dirty milk bottles or cans.

**SEC. 10. REQUIREMENTS OF CLASS 4. (MILK DEPOTS AND VENDORS.)**

**PART 1. *Application for permit.***—Every person under this class shall submit his application for a permit to the health officer with a complete list of the source of his milk and shall furnish the bureau of health with such a list at any time requested. If any change is to be made in the source of supply, the bureau of health shall be notified at once.

**PART 2. *The milk supply*** shall be received only from dealers granted a permit to sell milk in the city of St. Paul, excepting dealers in class 2, of this ordinance, from whom no milk shall be received.

**PART 3. *The milk handlers.***—No person with a communicable disease, including tuberculosis, venereal diseases, and acute tonsillitis, and no persons properly diagnosed as "disease carriers" shall handle or come in contact in any way with the milk or milk utensils. The existence of any communicable disease or suspected communicable disease among the persons at any dairy, or other places where milk is handled shall be reported to the bureau of health by the person in charge. All persons engaged in handling milk who have been in recent contact with a case of communicable disease shall not continue work until they have received the permission of the bureau of health or the State board of health.

**PART 4. *The bottling plant.***—All storekeepers and vendors who buy and bottle milk to be sold to the consumer or dealer must provide suitable rooms which do not connect directly with any dwelling room, to be used exclusively for the handling and storing of milk. These rooms must be provided with sufficient light and ventilation and kept clean at all times. The walls and ceiling shall be of smooth surface and painted unless the construction renders it unnecessary. The floors shall be of cement or other material impervious to water and so graded to permit prompt drainage and shall be properly trapped and empty into the city sewer when practicable. Screens: These rooms shall be effectively screened from May 1 to November 1, and shall be kept free from flies, dogs, and cats; the screen doors shall be provided with self-closing devices. The rooms in which milk is handled shall contain a covered cooling tank, which shall be provided with an ample supply of clean water and drained and cleaned once a week or oftener. A separate room shall be provided, together with proper equipment and a sufficient supply of hot and cold water, for the washing

and storing of utensils only. No milk shall be bottled at any place except in the milk room. The selling of dipped milk is hereby prohibited.

PART 5. *The utensils and apparatus* used in handling or bottling milk shall be thoroughly cleaned, including all bottles and cans, which shall be effectively sterilized and then properly drained, aired, and cooled before being used.

PART 6. *The bottling*.—All milk intended to be sold direct to the consumer or dealer shall be bottled at the dairy except in cases of consumers or dealers receiving 2½ gallons or more at one delivery, in which case it may be put in cans, which must be sealed at the dairy. The apparatus used in bottling milk and capping bottles shall be so constructed that the milk and caps used will not come in contact with human hands. Caps for bottles shall be obtained in sterilized tubes and shall remain protected from contamination until used.

PART 7. *Caps and labels*.—Each bottle of milk shall be labeled on the cap so as to show kind of milk, i. e., milk, cream, whipping cream, skim milk, or butter-milk, giving the name of the producer or distributor, together with the classification of milk, i. e., certified, raw, or pasteurized. All other containers used in delivering milk to consumers or dealers shall be labeled on a tag as prescribed above.

PART 8. *The delivery*.—Each vehicle used for the delivery of milk to the consumer shall have the name of the dairy or owner thereof painted on each outer side in letters large enough to be seen at a distance of 100 feet, together with the permit tags provided by the bureau of health. In cases of change of ownership, the names on the vehicles must be changed within 60 days. All milk delivery vehicles shall be neatly painted and kept clean and must have a top or be provided with a suitable clean canvas cover. No waste matter shall be hauled in any vehicle used for the delivery of milk. Milk which is to be delivered to consumers shall be kept at a temperature below 55° F. from the time it is bottled or put in cans until it is delivered. Milk shall not be bottled or changed from its containers at any place other than the milk house at the dairy. No driver on the route shall have in his possession any caps for milk bottles. In delivering milk to a house where a contagious or infectious disease exists, the milkman shall not enter, neither shall he permit any of his bottles or cans to be taken into such house, but shall pour such milk as each family may require into vessels furnished by them. If bottles have been previously left, they must remain until quarantine has been raised, then sterilized before being accepted. Milk tickets shall be used but once.

PART 9. *Dirty bottles and cans*.—Milk bottles or other receptacles for milk shall not be used by milk dealers or consumers for any other purpose than containing milk. Milk bottles and cans shall be thoroughly rinsed by consumers with clean water immediately after being emptied. It shall be unlawful to return dirty or unwashed bottles or cans to the delivery man or store, and delivery men and storekeepers are forbidden to receive any dirty milk bottles or cans.

#### SEC. 11. REQUIREMENTS OF CLASS 5. (GROCERS, CONFECTIONERS, ETC.)

PART 1. *Application for permit*.—Every person under this class shall submit his application for a permit to the health officer with the names of all dealers furnishing him with milk, which must be obtained already bottled. If any change is to be made in the source of supply, he must notify the bureau of health at once.

PART 2. The milk supply shall be received only from dealers granted a permit to sell milk in the city of St. Paul, excepting dealers in class 2 of this ordinance, from whom no milk shall be received.

**PART 3. The keeping of milk.**—All storekeepers who buy and sell bottled milk must be equipped with a refrigerator properly iced and kept clean where the milk can be kept below 50° F., separate from other goods. Milk tickets shall be used but once. The selling of dipped milk is hereby prohibited.

**PART 4. Dirty bottles and cans.**—Milk bottles or other receptacles for milk shall not be used by milk dealers or consumers for any purpose other than containing milk. Milk bottles and cans shall be thoroughly rinsed by consumers with clean water immediately after being emptied. It shall be unlawful to return dirty or unwashed bottles or cans to the deliveryman or store, and deliverymen and storekeepers are forbidden to receive dirty bottles or cans.

#### SEC. 12. PENALTY FOR VIOLATION.

Any person who shall violate any of the provisions or requirements of this ordinance shall upon conviction thereof be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment for not less than 10 days nor more than 90 days, except that any person who shall bottle milk anywhere except in a dairy or pasteurizing plant shall be punished by a fine of not more than \$100 or by imprisonment of not less than 30 nor more than 90 days.

#### SEC. 13. REVOCATION OF PERMIT.

All permits granted under this ordinance shall be subject to revocation by the council.

#### SEC. 14. REPEAL OF FORMER ORDINANCES.

Ordinance No. 2653, approved January 23, 1917, entitled "An ordinance to provide for the inspection of milk, dairies, and dairy herds and to license and regulate the sale and disposition of milk in the city of St. Paul," as amended by ordinance No. 2810, approved January 25, 1909, and ordinance No. 3156, approved August 27, 1913, entitled "An ordinance regulating the sale of milk and cream," as amended by ordinance No. 3178, approved December 8, 1913, and all other ordinances or parts of ordinances relating to the production or disposition of milk, or inconsistent herewith, are hereby repealed.

## MISCELLANEOUS.

### ALBANY, N. Y.

#### **Programs, Circulars, and Other Printed Matter—Distribution in Halls and Theaters. (Order 32, Apr. 21, 1917.)**

No person or persons shall distribute or offer for distribution, within any hall or theater, any program, circular, or other printed matter which has been previously distributed to or used by any other person or persons.

### CHICAGO, ILL.

#### **Division of Air Conditions Control—Establishment, Duties, Officers, and Employees—Prevention of Smoke Nuisance. (Ord. Dec. 22, 1919.)**

SECTION 1. That chapter 67 of the Chicago Code of 1911, comprising therein sections 2337 to 2362, both inclusive, as amended, be, and the same is hereby, repealed and article 25-A (chapter 38), in words and figures, as follows, substituted therefor:

1423-A. *Division of air conditions control established in the department of health; duties.*—There is hereby established a division of the department of health of the city of Chicago to be known and designated as the division of air conditions control. All employees in said division shall be appointed according to law and shall be under the supervision and control of the commissioner of health.

The division of air conditions control shall be charged with the inspection and control of the installation and maintenance of heating and ventilating equipment, the inspection of rooms for natural and mechanical ventilation, the prevention and abatement of smoke, gas, and fume nuisances, the examination and approval of plans of all heating and ventilation installations, and of all smoke, gas, and fume creating prevention and abatement installations installed or reconstructed in any building, location, or on any premises within the jurisdiction of the city of Chicago.

1423-B. *Head of division; qualifications; duties.*—The head of the division of air conditions control shall be an engineer qualified by technical training in the theory and practice of heating, ventilation, and air conditioning. He shall also be experienced in and thoroughly familiar with the design, construction, and operation of steam boilers and furnaces and in the theory and practice of smoke prevention and abatement.

Under the direction of the commissioner of health, he shall have charge of the division of air conditions control, shall supervise and direct its operations, and be charged with the enforcement of all laws of the State and ordinances of the city relative to the preservation of the purity of the air. He shall conduct, or cause to be conducted, investigations and studies of the condition of the air of the city and the measures necessary to preserve the same in the highest possible degree of purity.



1423-C. *Assistants and employees.*—There shall also be employed in the division of air conditions control such engineers, inspectors, assistant inspectors, deputy inspectors, and other employees as shall be provided for by the city council. The present officers and employees of the department of smoke inspection, which is hereby abolished, whose salaries may be appropriated for in the annual appropriation ordinance for the year 1919, shall be transferred to the department of health, and the civil-service status of the officers and employees so transferred shall in no manner be impaired by such transfer.

1423-D. *Construction and reconstruction of plants; plans and specifications; permit; commissioner of buildings to supervise.*—No new plants nor any reconstruction of any existing plants for producing power and heat, nor either of them, nor any new chimney connected with a steam plant shall be erected or maintained in the city until plans and specifications of the same have been filed in the office of and approved by the commissioner of health and a permit issued by him for such erection, reconstruction, or maintenance. Plans and specifications to be filed with the commissioner of health shall show the amount of work and the amount of heating to be done by such plant and all appurtenances thereto, including all provisions made for the purpose of securing complete combustion of the fuel to be used and for the purpose of preventing smoke; said plans and specifications shall also contain a statement of the kind of fuel proposed to be used, and said plans and specifications shall also show that the room or apartment in which such plant shall be located is provided with doors, windows, air shafts, fans, and other means of ventilation sufficient to prevent the temperature of such room, apartment, basement, or other portion of such building, wherein such steam plant or apparatus is to be used, from rising to a point higher than 120° F., and sufficient also to provide that the atmosphere of any such apartment, wherein such apparatus may be located, may be entirely changed every 10 minutes. Upon the approval of such plans and specifications, a duplicate set of which shall be left on file in said office, and upon the payment of the fees as hereinafter provided, the commissioner of health shall issue a permit for the reconstruction, erection, or maintenance of such plant. As soon as the commissioner of health has examined the plans and specifications submitted and has issued a permit as above provided, he shall notify the commissioner of buildings to see that the execution of the work permitted is carried out in conformity with the plans and specifications, with special reference to the amount of space used, the size and construction of the chimney or chimneys used, the provision for the prevention of smoke, and the provisions for ventilation, and for the proper temperature in the engine and boiler rooms.

1423-E. *Use of plant; certificate of commissioner of health required.*—It shall be unlawful for any person to use any new or reconstructed plant for the production and generation of heat and power, or either of them, until he shall have first procured a certificate from the commissioner of health certifying that the plant is so constructed that it will do the work required, and that it can be so managed that no dense smoke shall be emitted from the chimney connected with the furnace or firebox.

1423-F. *Chimneys and furnaces; repairs; permit required; penalty.*—No owner shall alter or repair any chimney or any furnace or device when such alteration, change or installation will affect the method or efficiency of preventing smoke, without first submitting plans and specifications to the commissioner of health and securing a permit therefor: *Provided, however,* That minor necessary or emergency repairs, which do not increase the capacity of such plant or which do not involve any substantial alteration in structure and which do not involve any alteration in the method or efficiency of smoke pre-

vention, may be made by or under the engineer in charge of said plant without a permit. Any person who shall violate this section shall be liable to a fine of \$25 for each day upon which he shall prosecute such alteration, change, or installation without a permit, and each day's violation shall constitute a separate offense.

1423-G. *Emission of dense smoke; regulations; abatement; penalty.*—The emission of dense smoke within the city from the smokestack of any locomotive, steamboat, steam tug, steam roller, steam derrick, steam pile driver, tar kettle, or other similar machine or contrivance, or from the smokestack or chimney of any building or premises, excepting for a period of six minutes in any one hour during which the fire box is being cleaned out or a new fire being built therein, is hereby declared to be a nuisance and may be summarily abated by the commissioner of health or by anyone whom he may duly authorize for such purpose. Such abatement may be in addition to the fine hereinafter provided. Any person, firm, or corporation owning, operating, or in charge or control of any locomotive, steamboat, steam tug, steam roller, steam derrick, steam pile driver, tar kettle, or other similar machine or contrivance, or of any building or premises, who shall cause or permit the emission of dense smoke within the city from the smokestack or chimney of any such locomotive, steamboat, steam tug, steam roller, steam derrick, steam pile driver, tar kettle, or other similar machine or contrivance, or from the smokestack or chimney of any building or premises so owned, controlled, or in charge of him, her or them, except for a period of six minutes in any one hour during which the fire box is being cleaned out or a new fire being built therein, shall be deemed guilty of a violation of this section, and upon conviction thereof shall be fined not less than \$10 nor more than \$100 for each offense; and each emission of dense smoke in violation of the provisions of this section shall constitute a separate offense for each and every day on which such violation shall continue.

1423-H. *Fees; when remitted.*—The fees for the inspection of plans and issuing of permits and for the inspection of plants and issuing of certificates shall be as follows:

For inspecting plans of new plants and plants about to be reconstructed, \$20.

For inspecting plans for repairs and alterations, \$1.

For examining a plant after its erection or reconstruction and before its operation and maintenance, \$3.

The fee paid for any such inspection or examination shall include the issuing of a permit or certificate, in case such permit or certificate is granted.

The commissioner of health may, and he is hereby, directed and instructed to remit all inspection or examination fees charged or that hereafter may be charged against any and all charitable, religious, and educational institutions when the furnace or other device or apparatus inspected is located in or upon premises used and occupied exclusively by such charitable, religious, or educational institution: *Provided*, That such charitable, religious, or educational institution is not conducted or carried on for private gain or profit: *And provided further*, That the commissioner of health may require every application for the remission of such fees to be verified by the affidavit of one or more taxpayers of the city.

1423-I. *Violations; prosecutions.*—Prosecutions for all violations of this chapter shall be instituted by the commissioner of health and shall be prosecuted in the name of the city of Chicago.

The issuance and delivery by the commissioner of health of any permit or certificate for the construction or reconstruction or any permit for the alteration or repair of any plant or chimney connected with a plant shall not be held

to exempt any person or corporation to whom any such permit has been issued or delivered or who is in possession of any such permit from prosecution on account of the emission or issuance of dense smoke caused or permitted by any such person or corporation.

1423-J. *Penalty*.—Any person who shall violate any of the provisions of this chapter (except as herein otherwise provided) shall be fined not less than \$25 nor more than \$100 for each offense.

1423-K. *Fraud; favors; penalty*.—If any person acting on behalf of the city under the provisions of this chapter shall take or receive any money or any valuable thing for the purpose of deceiving or defrauding any person or persons, or for the purpose of favoring any person or persons, or if any inspector shall recommend the issuance of any certificate of inspection without having at the time stated thoroughly examined and tested the furnace, device, or apparatus so certified he shall be fined \$100 for each offense.

### MARQUETTE, MICH.

#### Head Lice—Children Required to Be Free from. (Ord. Sept. 16, 1918.)

SECTION 1. It is hereby made the duty of each parent and other person who has the custody or care of any child while such child is at the premises of its usual place of abode in this city to forthwith rid such child from *Pediculosis capitis*, commonly called head lice, and also to effectually prevent such child from becoming or being or remaining afflicted with such vermin, and also to prevent such child from leaving the premises of its usual place of abode at any time while afflicted with such vermin. The fact that any child is found to be afflicted with such vermin shortly after leaving the premises of its place of abode or shortly after entering any public or private school building or school-room or other place where children are congregated shall be prima facie evidence of violation of this ordinance by each parent and other person having such custody and care of such child.

SEC. 2. Upon a first conviction of any violation of this ordinance the offender shall be punished by a fine of not less than \$5 or more than \$10, and upon a second or any subsequent violation of this ordinance the offender shall be punished by a fine of not less than \$10 or more than \$25 or by imprisonment in the city lockup or county jail for not less than 10 days or more than 30 days, or by both such fine and imprisonment, in the discretion of the court.

### MILWAUKEE, WIS.

#### Dust—Prevention—Regulation of Sweeping of Porches and Beating of Rugs, Bedding, Old Garments, Etc. (Ord. Oct. 20, 1919.)

SECTION 1. There are added to the Milwaukee Code of 1914 three new sections to read:

SEC. 1293.5. The sweeping of porches without first laying the dust is prohibited.

SEC. 1293.6. No carpets, rugs, mats, or similar articles shall be beaten or swept in any public thoroughfare or in any court or areaway adjacent to any building or buildings occupied by more than one family.

SEC. 1293.7. No old garments, cushions, pillows, bedding, mattresses, coverings, rugs, carpets, or similar articles shall be beaten or shaken upon or near inhabited buildings unless reasonable precaution is taken to prevent dust

particles or portions of said articles from being blown, scattered, or otherwise passing from the place where such beating or cleaning is carried on.

SEC. 2. Section 1294 of the Milwaukee Code of 1914 is amended to read:

SEC. 1294. Any person violating any of the provisions of the three preceding sections shall on conviction be fined not less than \$5 nor more than \$50 for each and every offense, or, in default of the payment of the same, be imprisoned in the house of correction of Milwaukee County for a period of not less than 10 nor more than 60 days, in the discretion of the court.

### NEW YORK, N. Y.

#### Railroad Cars, Omnibuses, Ferryboats, Railroad Stations, Ferry Houses, Etc.—Cleaning. (Reg. Bd. of H., Oct. 15, 1918.)

SEC. 301. *Public vehicles and other public places; to be cleaned daily.*—Every railroad car, omnibus, and ferryboat used in the city of New York for carrying passengers, and every railroad depot, railroad station, railroad platform, and ferryhouse, and every public room or space connected therewith, and every stairway and other means of entrance thereto or exit therefrom, shall, on each and every day on which it shall be used, be carefully and thoroughly cleaned so that all refuse, dirt, and filth are removed therefrom, in such manner as to avoid the raising of dust. Dry sweeping is prohibited.

#### Sanitary Code—Punishment for Violation of. (Reg. Bd. of H., May 21, 1918.)

SEC. 224. *Punishment for violation of the sanitary code.*—Any violation of the sanitary code of the board of health of the department of health of the city of New York shall be punished in the manner prescribed by sections 1740 and 1937 of the penal law of the State of New York, and sections 1172, 1222, and 1262 of the Greater New York charter.

#### Bells or Gongs—When Prohibited. (Res. Bd. of H., Aug. 20, 1919.)

*Resolved*, That article 12 of the sanitary code be amended by adding thereto a new section to be numbered "228," to read as follows:

SEC. 228. *Noise from bells, gongs, etc., prohibited.*—No person shall cause, suffer, or allow to be attached to, or maintained in or upon, any building or premises any bell or gong which shall by noise disturb the quiet or repose of persons in the vicinity thereof, to the detriment of the repose or health of such persons. All persons participating in the violation of this provision, either as proprietors, owners, tenants, managers, or superintendent of such building or premises, or licensees or licensors of such electric bell or gong, or otherwise, shall be liable therefor.

### OAKLAND, CALIF.

#### Mattresses—Making, Remaking, Labeling, and Sale. (Ord. 1376, Apr. 11, 1918.)

SECTION 1. On and after the passage of this ordinance it shall be unlawful for any person, firm, or corporation to engage in the making, remaking, and sale of mattresses, or the buying or sale of used mattresses except in compliance with the conditions hereinafter specified.



SEC. 2. It shall be unlawful for any person, firm, or corporation, or its servants or employees, to maintain or operate within the city of Oakland the business of making or remaking and sale of mattresses within any building, room, apartment, dwelling, basement, or cellar without having first obtained a certificate issued by the health department and signed by the health officer of said city, that, first, the premises are in a sanitary condition and that all arrangements for carrying on the business without injury to public health have been complied with in accordance with the ordinances of the city of Oakland; and, second, that the provisions of all ordinances or regulations made in accord with this ordinance for the conduct of such establishments have been complied with. Said certificate when issued shall be kept displayed in a prominent place on the premises.

SEC. 3. It shall be the duty of the health department, upon application from any person, firm, or corporation desiring to open, conduct, or continue any place of business connected with the making and remaking and sale of mattresses within the limits of the city of Oakland, before issuing the certificate specified in section 2, to cause the premises on which it is proposed to carry on such business, or in which said business is being carried on or conducted, to be inspected with a view of ascertaining whether said premises are in a sanitary condition for the conduct of said business, and comply with the ordinances of the city of Oakland.

SEC. 4. The certificate provided for in section 2 of this ordinance shall be valid for one year from date of issue. After said period of one year has elapsed a new certificate shall be applied for and issued in the same manner and under the same conditions as the original certificate.

A certificate may at any time be revoked for cause after a hearing by the city council.

No charge whatsoever shall be made or compensation or fee collected or accepted for the performance of any of the services required by this ordinance in the inspection of the premises or the issuance of a certificate.

SEC. 5. The health department shall from time to time adopt such rules and regulations governing sanitation, disinfection, or sterilization as it may deem necessary and proper to give effect to this ordinance and in accordance therewith.

SEC. 6. (1) The term "mattress" as used in this ordinance shall be construed to mean any quilted pad, comforter, mattress, mattress pad, bunk quilt, or cushion, stuffed or filled with wool, hair, or other soft material, to be used on a couch or other bed for sleeping or reclining purposes.

(2) The term "person" as used in this ordinance shall be construed to include all individuals and all firms or copartnerships.

(3) The term "corporation" as used in this ordinance shall be construed to include all corporations, companies, associations, and joint-stock associations or companies.

(4) Whenever the singular is used in this ordinance it shall be construed to include the plural; whenever the masculine is used in this ordinance it shall include the feminine and neuter genders.

SEC. 7. (1) No person or corporation, by himself or by his agents, servants, or employees, shall employ or use in the making, remaking, or renovating of any mattress any material of any kind that has been used in or has formed a part of any mattress used in or about any public or private hospital or institution for the treatment of persons suffering from disease, or for or about any person having any infectious or contagious disease; any material known as "shoddy" and made in whole or in part from old or worn clothing, carpets, or other fabric or material from which shoddy is constructed; any material,

not otherwise prohibited by this ordinance, of which prior use has been made, unless any and all of said material has been thoroughly sterilized and disinfected by a process approved by the health department of the city of Oakland.

(2) No person or corporation, by himself or by his agents, servants, or employees, shall cause to be renovated or remade, or buy, sell, offer for sale, or have in his possession with intent to sell, any renovated or remade or used or secondhand mattress unless the same has been sterilized and has thereto attached or upon a muslin or linen tag not smaller than 3 inches square, permanently attached to the covering thereof, a statement in the English language setting forth the following facts in type not smaller than 20 point:

This is a (renovated) (used) mattress and has been sterilized with \_\_\_\_\_  
 \_\_\_\_\_ (material used) on \_\_\_\_\_ (day) \_\_\_\_\_  
 (month) \_\_\_\_\_ (year) \_\_\_\_\_ by \_\_\_\_\_  
 \_\_\_\_\_ (firm's name).

Health department certificate No. \_\_\_\_\_

(3) No person or corporation, by himself or by his agents, servants, or employees, shall sell, offer to sell, deliver, or consign, or have in his possession with intent to sell, deliver or consign, any mattress made, remade, or renovated in violation of subsection (1) of this section.

SEC. 8. No person or corporation, by himself or his agents, servants, or employees, shall, directly or indirectly, at wholesale or retail or by public auction, or otherwise, sell, offer for sale, deliver or consign or auction, or have in his possession with intent to sell, deliver, or consign, any mattress that shall not have plainly and indelibly stamped or printed thereon, or upon a muslin or linen tag not smaller than 3 inches square permanently attached to the covering thereof, a statement in the English language setting forth the kind or kinds of materials used in filling the said mattress, and whether the same are in whole or in part new or old, or second hand, or shoddy, and the name and address of the manufacturer or vendor thereof, or both together with the tag required in subsection (2) of section 7 of this ordinance.

SEC. 9. It shall be unlawful for junk dealers or any persons or corporation, by himself, or his agents, servants, or employees, to sell or offer for sale, deliver or consign, or have in his possession with intent to sell, deliver, or consign, any material which has been previously used or formed a part of any mattress unless the same has been sterilized in a manner satisfactory to the health department.

SEC. 10. Whenever the word "felt" as applied to cotton is used in the said statement concerning any mattress it shall be designated in said statement, whether said felt is "felted cotton" or "felted linters."

SEC. 11. It shall be unlawful to use in the said statement concerning any mattress the word "floss," or words of like import, if there has been used in filling said mattress any materials which are not termed as "kapok."

SEC. 12. It shall be unlawful to use in said statement concerning any mattress the word "hair" unless said mattress is entirely manufactured of animal's hair.

SEC. 13. It shall be unlawful to use in the description in the said statement any misleading term or designation, or term or designation likely to mislead.

SEC. 14. Any mattress made from more than one new material shall have stamped upon the tag attached thereto the percentage of each material so used.

SEC. 15. Any mattress made from any material of which prior use has been made shall have stamped or printed upon the tag attached thereto in type not smaller than 20-point type the words "secondhand material."

SEC. 16. Any mattress made from material known as "shoddy" shall have stamped or printed upon the tag attached thereto in type not smaller than 20 point the words "shoddy material."

SEC. 17. The statement required under section 8 of this ordinance shall be in the following form:

MATERIALS USED IN FILLING.

-----  
 Vendor-----,  
 Address-----

This article is made in compliance with ordinance No. ---- N. S. of the city of Oakland.

SEC. 18. Any person who shall remove, deface, alter, or in any manner attempt the same, or shall cause to be removed, defaced, or altered, any mark or statement placed upon any mattress, under the provisions of this ordinance, shall be guilty of a violation of this ordinance.

SEC. 19. The unit for a separate and distinct offense in violation of this ordinance shall be each and every mattress made, remade, renovated, sold, offered for sale, delivered, consigned, or possessed with intent to sell, deliver, or consign, contrary to the provisions hereof.

SEC. 20. All existing establishments shall comply with sections 2 and 3 of this ordinance within a period of six months after passage of the same.

SEC. 21. Any person or corporation violating the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$20 and not to exceed \$100 for each offense, or by imprisonment for not less than three months and not exceeding six months, or by both such fine and imprisonment.

PHILADELPHIA, PA.

**Rag Shops, Secondhand Paper Shops, and Junk Shops—Licenses—Sanitary Regulation. (Reg. Bd. of H., Dec. 28, 1917.)**

*Rag shop.*—Whenever the term "rag shop" is used in these regulations, it shall mean any premises wherein discarded wearing apparel of any description or discarded cloth, muslin, fabric, burlap, or waste is purchased or received, washed, or sorted.

*Secondhand-paper shop.*—Whenever the term "secondhand-paper shop" is used in these regulations it shall mean any premises wherein waste paper or discarded paper stock of any description is purchased or received, washed, or sorted.

*Junk shop.*—Whenever the term "junk shop" is used in these regulations it shall mean any premises wherein discarded material of any character, including paper and rags, is purchased or received, washed, or sorted.

1. Application for a license to own, operate, or conduct a rag shop, secondhand-paper shop, or junk shop in Philadelphia shall be made in writing on form provided for that purpose by the bureau of health.

2. No building used for such purposes shall be located in a residential or business district or other place deemed objectionable by the bureau of health.

3. Buildings in which rag shops, secondhand-paper shops, or junk shops are located shall not be occupied in whole or in part as dwellings, two-family dwellings, rooming houses, or tenements. (Act of June 11, 1915, sec. 37.)

4. Rags, old paper, junk, or other waste materials shall not be stored in the yard of premises or in cellars or on the lots of adjoining premises without the written approval of the fire marshal.

5. The sorting, washing, and baling of old rags, old paper, junk, or other waste materials shall be done in a manner which will not permit the escaping of dust or dirt to the outer air or create foul or noxious odors.

6. Rag shops, secondhand-paper shops, or junk shops shall not receive, keep, sort, or store fats, bones, dog puer, or fertilizing products or animal refuse of any description.

7. There shall not be any avenue of direct communication between a stable in which animals are kept or between a garage and any building used as a rag shop, secondhand-paper shop, or junk shop; nor shall any part of a stable in which animals are kept, or a garage, be used for the storage of rags, secondhand paper, junk, or other waste materials.

8. Waste materials shall be so packed or baled as to prevent the littering of the public highways with droppings from the same.

9. The public highways shall not be used for the sorting, baling, or storage of rags, paper, junk, or other waste materials.

10. The conductor of any establishment licensed under these regulations shall not offer for sale any articles of wear unless such articles have been properly washed and disinfected.

11. Premises in which rag shops, secondhand-paper shops, or junk shops are located shall be properly drained to a sewer (where one is available) and equipped with the necessary toilet facilities.

12. Any violation of the act of assembly of April 11, 1899, governing junk shops and secondhand stores in Philadelphia will be sufficient cause for revocation of license.

13. All applicants for license under this act shall make themselves thoroughly familiar with the act of assembly of April 11, 1899; act of assembly of May 5, 1899; act of assembly of May 20, 1913; the act of assembly of June 11, 1915; the act of assembly of May 14, 1915; the act of assembly of July 5, 1917; and the ordinance of councils of November 28, 1917, governing rag, secondhand paper, and junk shops.

14. No persons, firm, or corporation shall own, operate, or conduct any rag shop, secondhand-paper shop, or junk shop in the city of Philadelphia without first having made application to the bureau of health for a license to own, operate, or conduct such a shop.

15. Applicants for licenses to conduct rag shops, secondhand-paper shops, or junk shops must be filed in writing on forms supplied by the bureau of health. After a location has been approved by the bureau of health the applicant shall then file three sets of blue prints showing new building construction or alterations to be made to the premises. The prints will be passed upon by the bureau of health. Two copies, properly marked, will be returned to the applicant, one of which shall be filed with the bureau of building inspection. A certificate of approval must be secured from the fire marshal in all cases before a license will be issued to conduct a rag shop, secondhand paper shop, or junk shop.

16. Upon completion of alterations or new construction application for final inspection must be made in writing to the bureau of health. If upon inspection all the rules and regulations have been complied with, and upon written approval of the inspector, a license will be issued.

17. The fee for a license is \$10 per annum for each rag shop, secondhand-paper shop, or junk shop. The license shall not be transferable as to person



or place and shall be revocable upon failure to comply with these rules and regulations, ordinances of councils, or acts of assembly.

18. All licenses shall expire on December 31 of the year for which they are issued.

**Itinerant Dealers in Rags, Secondhand Paper, and Junk—Licensing. (Res. Bd. of H., May 9, 1918.)**

*Resolved*, That the rules and regulations governing rag shops, etc., be amended to include the following:

"Itinerant dealers in rags, secondhand paper, junk, etc., operating wagons and calling upon established trade coming within the act shall be subject to all its provisions and entitled to license, providing there is no storage of rags, secondhand paper, junk, etc., upon the premises occupied by the applicant or the building in which conveyance is kept. In no event is such a license to be issued to ragpickers, scavengers, or any violators of ordinances of councils, or the rules and regulations of the department of public safety or public works."

**PORT CHESTER, N. Y.**

**Camps—Sanitary Regulation. (Reg. Jan. 21, 1918.)**

**CH. 5. LABOR CAMPS.**

**REGULATION 1. *Pollution of waters prohibited.***—All persons living in the open or in camps, tents, or other temporary shelters shall exercise every proper and reasonable precaution to dispose of their wastes so that springs, lakes, reservoirs, streams, and other watercourses shall not be polluted.

**REG. 2. *Notice of labor or construction camp to be occupied by five or more persons to be given health officer.***—Every railroad or other corporation, contractor, lumberman, or other person who shall establish, construct, or maintain within this municipality any labor or construction camp to be occupied by five or more persons, and the person in charge of any temporary living quarters, on wheels or otherwise, that shall be provided for five or more workmen, shall at once notify the health officer of the presence or location of such quarters or camp.

**REG. 3. *Health officer to inspect and pass on location and sanitary conditions of camps.***—It shall be the duty of the health officer, when notified of the establishment of any camp with temporary buildings, on wheels or otherwise, in his jurisdiction, promptly to inspect and determine the propriety of the location of the camp and of its sanitary conditions. If the location or manner of operation of the camp be found by him to be detrimental to the public health he shall cause the camp to be removed or the manner of its operation to be corrected.

**REG. 4. *Permit required for labor or construction camp to be occupied by more than 10 persons for more than six days.***—No railroad or other corporation, contractor, lumberman, or other person shall establish, construct, or maintain any labor or construction camp to be occupied by 10 or more persons for a period of more than six days without a permit from the health officer.

Whenever any such camp shall be vacated the person in charge thereof shall forthwith notify the health officer and surrender to him the permit therefor.

**REG. 5. *Application required for permit.***—Application for such permit shall be made in writing to the health officer.

The application shall state the exact situation of the proposed camp, the type of camp to be established, the approximate number of persons to be maintained,

the probable duration of stay, the proposed source of water supply for the camp, and the proposed method of sewage and garbage disposal.

REG. 6. *Conditions of issuance of permit; may be revoked.*—If the health officer is satisfied after inspection that the proposed camp will not be a source of danger to the health of others, or to its inmates, he shall issue the necessary permit in writing in a form to be prescribed by the State commissioner of health.

In case the health officer declines to issue the permit, an appeal may be taken to the State commissioner of health, who may grant a permit.

Any such permit may be revoked for cause by the health officer or by the State commissioner of health after a hearing.

REG. 7. *Health officer to be notified of the name of the person responsible for sanitary condition of camp.*—It shall be the duty of the owner, manager, or foreman of a labor or construction camp occupied by 20 or more persons to detail one person who shall be responsible for the sanitary condition of the camp, and to notify the health officer of the name of such person.

REG. 8. *No building, tent, or car in any camp to be nearer than 50 feet of water's edge of public water supply.*—In every camp or temporary quarters the nearest part of any building, tent, car, or shed shall be at least 50 feet in a horizontal direction from the water's edge of any stream, lake, or reservoir the waters of which are used for a public water supply.

REG. 9. *Suitable privy or other toilet facilities to be provided and used.*—For every camp there shall be provided convenient and suitable privy or other toilet facilities, approved by the health officer, which the occupants of the camp shall be required to use instead of polluting the ground.

REG. 10. *Construction of privies more than 200 feet from the water's edge.*—If such privy be more than 200 feet from the water's edge of any spring, stream, lake, or reservoir forming a part of a public or private water supply, it shall consist of a pit at least 2 feet deep, with suitable shelter over the same. No such pit shall be filled with excreta to nearer than 1 foot from the surface of the ground, and the excreta in the pit shall always be covered with earth or ashes. If the camp be occupied for more than six days between May 1 and November 1, the shelter and pit shall be inclosed in fly netting.

REG. 11. *Construction and care of privies located between 50 and 200 feet from the water's edge.*—If such privy is to be between 50 and 200 feet from the waters of a spring, stream, lake, or reservoir forming part of a public or private water supply, there shall be no pit, but the excreta shall be received in a water-tight tub or bucket, and periodically, as often as may be found necessary, shall be taken away and disposed of. Such privy shall be properly screened against flies and kept in a clean and sanitary condition; the pails or buckets shall not be allowed to fill so that they overflow or spill in carrying, and the construction of the privy shall be such that the convenient removal and replacement of the tubs or buckets is facilitated.

REG. 12. *Disposal of waste from privies.*—The pails or buckets used in privies located between 50 and 200 feet from the water's edge, as referred to in regulation 11, shall, when not more than three-quarters filled, be removed from the privy and carried at least 200 feet from the water's edge and the contents there either burned or buried in a trench at least 2 feet deep, so that when buried there shall be at least 1 foot of earth cover. The tubs or buckets immediately after being emptied shall be rinsed out with a suitable disinfectant as particularly prescribed for such purposes by the special rules and regulations of the State department of health, and the rinsing fluid shall also be emptied into the trench.

REG. 13. *Garbage to be disposed of in suitable manner.*—All garbage, kitchen wastes, and other rubbish in camps shall be deposited in suitable covered receptacles, which shall be emptied daily, or oftener if necessary, and the contents burned, buried, or otherwise disposed of in such a way as not to be or become offensive or unsanitary.

REG. 14. *Water rules to be observed.*—Whenever a camp is established on the banks of a spring, lake, reservoir, stream, or other watercourse which is a source of water supply protected by water rules formulated by the State commissioner of health, no bathing or washing by the occupants of said camp shall be allowed in said springs, lakes, reservoirs, streams, or other watercourses, and all said water rules shall be strictly observed. There shall be furnished by the health officer and conspicuously posted in such camp a copy of said rules or parts thereof as may be considered necessary by the State commissioner of health.

REG. 15. *Location and drainage of stables regulated.*—No stable or other shelter for animals shall be maintained within 100 feet of any living quarters in a camp, nor within 150 feet of any kitchen or messroom therein. No drainage from such stable or shelter shall be permitted to empty directly into any spring, lake, reservoir, stream, or other watercourse forming part of a public or private water supply.

REG. 16. *Camps to be kept and left in clean and sanitary condition.*—All tents, cars, and buildings in and the grounds surrounding camps shall at all times be kept and, when definitely vacated, be left in a clean and sanitary condition.

REG. 17. *Person in charge of camp to report cases of disease presumably communicable.*—It shall be the duty of the person in charge of any labor or other camp to enforce regulation 6 of chapter 2 of the sanitary code and regulation 5 of chapter 3 hereof.

REG. 18. *Isolation of cases of communicable diseases; cases not to be removed without permission of health officer.*—Whenever a case of disease presumably communicable shall occur in any labor or construction camp, it shall be the duty of the person in charge of the camp immediately to isolate the case. Such isolation shall be maintained in a manner approved by the health officer. The person in charge of the camp shall not allow the case to leave or be removed from such camp without the permission of the health officer.

REG. 19. *Duty to enforce regulations on person in charge.*—It shall be the duty of the superintendent, foreman, or other person in charge of a camp to see that all regulations of this chapter are faithfully observed.

REG. 20. *Supplementary rules and regulations.*—Labor and construction camps shall be subject to such special and supplementary rules and regulations as may from time to time be made by the State commissioner of health.

### SAN FRANCISCO (CITY AND COUNTY), CALIF.

#### Common Cigar Cutters—Prohibited. (Ord. 4025, Jan. 17, 1917.)

SECTION 1. The use of the common cigar cutter on any stand or in any cigar store or other place where cigars are sold or offered for sale, or the furnishing of such common cutter for use of patrons or the public is hereby prohibited.

SEC. 2. Any person, firm, or corporation violating the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$10 and not to exceed \$25, or by imprisonment in the county jail for not more than 25 days or by both such fine and imprisonment.

## SOMERVILLE, MASS.

**Offensive Trades—Locations of. (Reg. Bd. of H., Oct. 3, 1917.)**

SEC. 40. The board hereby prohibits the exercise of the following trades or employments, viz, those of slaughtering animals, of rendering animal matter, of manufacturing fertilizers, of mixing or storing refuse animal or vegetable substances, of smoking fish or meat, of refining oils, of making egg dressing, varnish, glue, gas, water gas, gasoline, or any burning fluid, except at the place or places where such trades or employments are now lawfully established or which may hereafter be assigned by the board, such trades or employments being either nuisances or hurtful to the inhabitants of the city, dangerous to the public health, attended by noisome and injurious odors, or otherwise injurious to the health of said inhabitants.

**First-Aid Supplies Required in Factories. (Reg. Bd. of H., Oct. 3, 1917.)**

SEC. 49. Every person, firm, or corporation operating a factory or shop in which machinery is used for any manufacturing purpose, or for any other purpose, except for elevators, or for heating, or hoisting apparatus, shall at all times keep and maintain, free of expense to the employees, a full set of the following articles, the same to be kept in a suitable dust-proof case:

- Adhesive plaster, 1-inch roll and 2-inch roll.
- Bandages, 2 dozen assorted sizes, 1 to 4 inches.
- Cotton, absorbent, 1 pound.
- Gauze, one package of 10 yards.
- Elastic tourniquet, 24 inches.
- Safety pins, 2 dozen.
- Splint material, four whitewood strips 30 by 4 by  $\frac{1}{8}$  inch.
- Scissors, straight, 3-inch blade.
- Basin, enamel.
- Tablets, corrosive sublimate and citric acid (100).
- Carron oil, 1 quart.
- Aromatic spirits of ammonia, 4 ounces.

## SPRINGFIELD, MASS.

**Common Cigar Cutters—Prohibited in Public Places. (Reg. Bd. of H., Oct. 3, 1918.)**

The use of a common cigar cutter in any store, saloon, restaurant, or other public place is prohibited.

The term "common cigar cutter" as used in this regulation shall be considered to mean any device for clipping the ends of cigars, intended to be used by more than one person.

## TRENTON, N. J.

**Rummage Sales—Permits Required—Secondhand Mattresses. (Ord. Jan. 6, 1917.)**

1. That hereafter it shall be unlawful for any person or persons, society or organization of any character, to conduct what is commonly known as a "rummage sale," or sale of old wearing apparel, or household goods of any nature



whatsoever, without a written permit first obtained from the health officer of the city of Trenton.

2. Application for such permit shall be made in writing by the person or persons, or, if a society or organization, by one of its officers, desiring to conduct such sale, and such application shall state the time and place at which such sale is intended to be held and a general description of the goods that are to be offered for sale.

3. The health officer shall grant such permit upon the condition that the goods or articles to be sold shall be thoroughly disinfected before being offered for sale and may impose such other conditions as in his judgment are necessary to properly protect the public health.

4. No secondhand mattresses or used mattresses may be made over or used in new ones without being properly disinfected, and all secondhand mattresses brought into this city must be accompanied by a certificate from the board of health having jurisdiction over the locality from whence it is brought, certifying to the fact that it has not been subject to any contamination with infectious or communicable disease.

5. Any person or persons, society or organization violating any of the provisions of the foregoing ordinance shall forfeit and pay a penalty not to exceed the sum of \$25 for each offense.

## NUISANCES.<sup>1</sup>

### BERKELEY, CALIF.

#### Nuisances—Defined—Abatement. (Ord. 553, Jan. 20, 1918.)

SECTION 1. For the purposes of this ordinance the existence of any one of the following conditions, being a menace to the public health, is hereby declared to constitute a nuisance:

(a) The maintenance of any barn, stable, chicken yard, or manure pile in such manner that the same is a breeding place for flies or liable to become such.

(b) The discharge of sewerage, garbage, or any other organic filth into or upon any place in such a manner that transmission of infective material to human beings may result therefrom.

(c) The maintaining of a privy on any lot or premises abutting on a street in which a sewer is laid unless said privy is connected with the sewer.

(d) The maintaining of any pool of water in such manner that the same is a breeding place for mosquitoes or liable to become such.

(e) The maintaining or carrying on of bone boiling, fat rendering, soap making, manufacture of chemicals, or any other trade or manufacture in such a manner as to be a menace to the public health through improper or inadequate disposal of dust, wastes, and fumes.

(f) The keeping of any building, or any part of a building, which, on account of its dilapidated condition or of its occupancy by any person or persons afflicted with communicable disease, or by filthy tenants, may endanger the life or health of residents therein or in the vicinity thereof.

SEC. 2. Whenever it comes to the attention of the health officer that any nuisance as herein defined exists on any premises within the city of Berkeley it shall be the duty of the health officer to notify, in writing, the occupant or occupants of such premises, or, in case there be no such occupant or occupants thereof, then to notify the owner thereof or his agent, of the existence of such nuisance, specifying the measures necessary to abate such nuisance, and requiring the abatement of such nuisance. The notice to abate such nuisance must be served on the occupant or occupants of such premises personally, or if there be no such occupant or occupants, then the notice must be sent to the owner or agent of the owner of such premises through the United States mail prepaid, addressed to the post-office address of such owner or agent.

SEC. 3. Upon the receipt of the notice specified in section 2 of this ordinance, it shall be the duty of the occupant, occupants, owner, or agent so notified to abate such nuisance within 48 hours thereafter; and it shall be unlawful for any such occupant, occupants, owner, or agent to maintain or to permit to be maintained any such nuisance after the expiration of the said 48 hours.

SEC. 4. In case such occupant or occupants, owner, or agent shall neglect or refuse to comply with the terms of said notice, or in case the health officer after

<sup>1</sup> See also Animals, p. 16; Buildings and premises, p. 40; Excreta, human—Sanitary disposal of, p. 134; Garbage, refuse, ashes, and waste matter, p. 188; Lodging, tenement, and rooming houses, p. 250; Malaria and mosquitoes, p. 255; Miscellaneous, p. 373.

having used due diligence is unable to locate any occupant or occupants, owner, or agent on whom to serve said notice, then and in either case the health officer shall have the power and it shall be his duty to abate such nuisance, and to this end shall have the power to condemn and destroy any property constituting a nuisance if said nuisance can not be abated without destruction of such property.

SEC. 5. Whenever in the judgment of the health officer the summary abatement of any such nuisance is necessary to protect the public health, and the occupant or owner refuses or neglects to abate the same or can not be found, the city council may authorize the health officer to abate such nuisance at the expense of the city, and the city may recover the amount of such expense in an ordinary action at law against the person or persons liable therefor.

SEC. 6. Any person who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$300 or by imprisonment not exceeding 90 days, or by both fine and imprisonment.

SEC. 7. Ordinances Nos. 187-A, relating to the sanitary condition of houses; 228-A, prohibiting stagnant pools of water; 387-A, regulating manufacture of sodium sulphate; and 523-A, relating to deposits of dirt, etc., are hereby repealed.

### LOUISVILLE, KY.

#### Nuisances—Defined—Abatement. (Ord. Oct. 6, 1917.)

SECTION 1. Whatever is dangerous to human health, whatever renders the ground, air, or food a hazard or injury to human health, and the following specific acts, conditions, and things, are, each and all of them, hereby declared to constitute a nuisance:

(a) Spitting upon any sidewalk or on the floor or wall of any public building, or any street car, boat, or train.

(b) The accumulation of water in which mosquito larvæ breed.

(c) The maintenance of any but sanitary privies, and these only when the premises do not abut a public sewer or when it is impossible to reach a public sewer within a distance of 100 feet without crossing the property of other owners, or when owing to the topography of the ground it is found impossible to make such connections.

(d) The disposal or accumulation of any foul, decaying, or putrescent substances or other offensive materials dangerous to public health in or upon any lot, street, or highway, or the escape of any gases to such an extent that the same or any of them shall by reason of offensive odors become injurious to the health of any person in the city of Louisville.

(e) The deposit or accumulation of manure unless it be in fly-proof receptacles.

(f) The presence of polluted water in a well, cistern, spring, or other source of water supply when the water therefrom is used for human consumption.

(g) The deposit of garbage in any but fly-proof water-tight receptacles.

(h) Growth of weeds where mosquitoes may harbor or rubbish be concealed.

SEC. 2. If any person within the limits of the city of Louisville shall permit or suffer on his premises, or on premises of which he may be the agent or occupant, any of the above-described nuisances, the health department shall order the owner or occupant thereof to remove same at his expense within a time not to exceed 24 hours, or such reasonable time as may be specified in a written notice issued by the health department. Said notice shall be served by a police officer or sanitary inspector by delivering a copy thereof to the owner, occupant, or agent of such property. If the owner or agent of the property is unknown or absent, with no known representative or agent upon

whom the notice can be served, then the police officer or sanitary inspector shall post a written or printed notice upon the property or premises setting forth that unless the nuisance, source of filth, or source of sickness is removed or abated within 24 hours, or within such reasonable time as may be specified by the health department, at the expense of the owner or occupant, the nuisance, source of filth, or source of sickness will be abated at the expense of the owner.

If the owner, occupant, or agent shall fail to comply with requirements of said notice, then the health department shall proceed to have the nuisance, source of filth, or source of sickness described in the written notice removed or abated from said parcel of ground and report the cost thereof to the proper authority, who shall assess the sum against the property.

SEC. 3. Any person or persons violating or assisting in the violation in any part or parts of this ordinance shall, upon conviction, be fined not less than \$5 or more than \$50, and each day's continuance of the condition shall constitute a separate offense.

### PORT CHESTER, N. Y.

#### Nuisances—Abatement. (Reg. Jan. 21, 1918.)

##### CH. 6. NUISANCES WHICH MAY AFFECT LIFE AND HEALTH.

REGULATION 1. *Duty of health officer to abate nuisance likely to affect health; procedure.*—1. The health officer, upon receiving a complaint of the existence within his jurisdiction of a nuisance which may affect health, or when the probable existence of any such nuisance comes to his attention, shall make an immediate and thorough investigation, and if such nuisance exists he shall take all measures within his power and authority to secure its abatement.

2. The health officer shall within five days of the receipt of the complaint file with the local board of health:

(a) The complaint, if made in writing, or if not made in writing, a summary thereof; or, if no complaint has been made, a statement of the facts, and

(b) A report showing—

(1) His findings;

(2) His opinion as to whether or not the conditions amount to a nuisance likely to affect health;

(3) The action, if any, taken by him; and

(4) Whether such nuisance has been abated.

3. If said report of the health officer states that there is a nuisance likely to affect health which has not been abated, this board shall convene promptly, investigate the alleged nuisance, and take the necessary steps provided by law for its abatement or within a reasonable time from the filing of the health officer's report enter on its minutes its decision, giving its reason for not taking action.

4. Within 48 hours after the entry of such decision the health officer shall forward a copy thereof to the State commissioner of health, together with the original or copies of the papers filed by him with this board, as required in subdivision 2 hereof.

5. Upon the receipt of a notice from the State commissioner of health, pursuant to the provisions of section 26 of the public health law, the presiding officer of this board shall promptly convene this board, which shall take the action directed by the said commissioner.



## PATENT MEDICINES.

### CAMDEN, N. J.

#### Patent Medicines, Medical Literature, and Medical Advertisements—Free Distribution. (Reg. Bd. of H., Feb. 19, 1917.)

SECTION 1. That section 1 of an ordinance entitled "An ordinance to prevent the free distribution of patent medicines around the streets promiscuously" be, and the same is hereby, amended to read as follows:

SECTION 1. That hereafter it shall be unlawful for any person or persons, corporation or corporations to distribute medical literature or medical advertisements on the highways or porches or in the doorways, halls or vestibules of any house or building or in any public place in the city of Camden, unless the same is handed personally to persons over the age of 16 years, or to further distribute by free gift any patent medicines, pills, or nostrums by means of throwing the same in the doorways, or handing the same to any child or children under the age of 16 years under a penalty of \$25 for each and every offense.

### NEW YORK, N. Y.

#### Proprietary or Patent Medicines—Sale—Names of Ingredients Required to Be Registered in Department of Health. (Reg. Bd. of H., Feb. 25, 1919.)

SEC. 117. *Regulating the sale of proprietary and patent medicines.*—No proprietary or patent medicine manufactured, prepared, or intended for internal human use, shall be held, offered for sale, sold, or given away in the city of New York until the following requirements shall, in each instance, have been met:

The names of the ingredients of every such medicine to which the therapeutic effects claimed are attributed and the names of all other ingredients except such as are physiologically inactive shall be registered in the department of health in such manner as the regulations of the board of health may prescribe.

The expression "proprietary or patent medicine," for the purposes of this section, shall be taken to mean and include every medicine or medicinal compound, manufactured, prepared, or intended for internal human use, the name, composition, or definition of which is not to be found in the United States Pharmacopoeia or National Formulary, or which does not bear the names of all of the ingredients to which the therapeutic effects claimed are attributed and the names of all other ingredients except such as are physiologically inactive, conspicuously, clearly, and legibly set forth, in English, on the outside of each bottle, box, or package in which the said medicine or medicinal compound is held, offered for sale, sold, or given away.

The provision of this section shall not, however, apply to any medicine or medicinal compound, prepared or compounded upon the written prescription of a duly licensed physician: *Provided*, That such prescription be written or issued for a specific person and not for general use, and that such medicine or medicinal compound be sold or given away to or for the use of the person for

whom it shall have been prescribed and prepared or compounded: *And provided also*, That the said prescription shall have been filed at the establishment or place where such medicine or medicinal compound is sold or given away, in chronological order according to the date of the receipt of such prescription at such establishment or place.

Every such prescription shall remain so filed for a period of five years

The names of the ingredients of proprietary and patent medicines, registered in accordance with the terms of this section, and all information relating thereto or connected therewith, shall be regarded as confidential, and shall not be open to inspection by the public or any person other than the official custodian of such records in the department of health, such persons as may be authorized by law to inspect such records, and those duly authorized to prosecute or enforce the Federal statutes, the laws of the State of New York, both criminal and civil, and the ordinances of the city of New York, but only for the purpose of such prosecution or enforcement.

*Provided, however*, The provisions of this section shall not apply to existing stores of merchandise in the hands of druggists or other dealers who do not know the ingredients and can not state them.

## SCHOOLS.<sup>1</sup>

### NEW YORK, N. Y.

**Schools—Establishment and Maintenance.** (Res. Bd. of H., Jan. 30, 1917, and Mar. 28, 1918.)

*Resolved*, That the following regulations governing the establishment and maintenance of schools, relating to section 222 of the sanitary code, be adopted:

**REGULATION 1. Applications for permit; certificates from fire commissioner and superintendent of buildings.**—Every application for a permit to establish or maintain a school shall be made upon an official blank furnished for such purpose by the department of health.

Upon receipt of an application for a permit to maintain an existing school the said department shall notify the fire commissioner and the superintendent of buildings of the borough in which the said school is located of the filing of such application.

Every applicant for a permit to establish after January 30, 1917, and maintain a school shall procure from the fire commissioner and the superintendent of buildings of the borough in which such school is to be located, respectively, a certificate to the effect that the building and premises for which a permit is desired comply with all fire and building laws, ordinances, rules, and regulations applicable to schools. Such certificate shall be filed with the department of health at the time the application for a permit is made.

**REG. 2. Lighting.**—Each classroom shall be properly lighted by means of windows or skylights of sufficient size and number to permit an adequate supply of natural light to be diffused to all parts of the classroom, and every such classroom shall be equipped with artificial means of illumination and shall be adequately lighted by such means during the evening sessions and at all times when the influx of natural light is inadequate.

**REG. 3. Ventilation.**—Proper and sufficient ventilation, by natural or mechanical means, shall be provided in each classroom, and such ventilation and a proper degree of temperature shall be maintained at all times during school hours. Where a classroom is ventilated by natural means at least 200 cubic feet of air space shall be supplied for each person, and where a classroom is ventilated by mechanical means the air of such classroom shall be displaced by fresh air at the rate of 1,500 cubic feet per person per hour.

**REG. 4. Floor space to be provided.**—Fifteen square feet of floor space shall be provided for each person in a classroom.

**REG. 5. Toilet facilities.**—Suitable and separate water-closets, conveniently located in properly ventilated compartments, with adequate facilities of hand washing adjacent thereto, shall be provided for each sex. The number of such water-closets to be provided for each sex shall be regulated as follows:

**Male:** One water-closet for every 20 male scholars registered. Two water-closets for every 50 male scholars registered. Thereafter one water-closet for every additional 40 male scholars registered: *Provided, however*, Where urinals

<sup>1</sup> See also Communicable diseases, p. 62.

are provided for such male scholars one water-closet less than the required number may be provided for each of such urinals, except that the number of water-closets in such cases shall not be reduced to less than two-thirds the required number.

Female: One water-closet for every 20 female scholars registered. Two water-closets for every 50 female scholars registered. Thereafter at the rate of one water-closet for every additional 40 female scholars registered.

REG. 6. *Desks and seats.*—All seats in classrooms used by the pupils shall be provided with backs, and such seats and all desks shall be adjusted so as to avoid any unhygienic attitudes on the part of the pupils.

REG. 7. *Room, closet, lockers, or racks for children's outer clothing.*—A room, closet, lockers, or fixed racks arranged along the wall of the classroom so as not to obstruct the aisles or exits shall be provided for the care of the pupils' outer clothing.

REG. 8. *Drinking water to be provided.*—An adequate supply of drinking water shall be provided by sanitary means.

REG. 9. *Sanitary conditions.*—The premises shall be maintained in a sanitary condition at all times, and no room used for classes shall be used for sleeping or living purposes.

REG. 10. *Minimum age of attendance.*—The minimum age at which a child shall be permitted to attend school shall be 4 years.

REG. 11. *Period of attendance.*—The attendance of children under the age of 10 years in classrooms shall be limited to four and one-half hours.

The attendance of children between the ages of 10 and 14 years in classrooms shall be limited to six hours.

The attendance of children between the ages of 14 and 16 years in classrooms shall be limited to eight hours.



## SPITTING.<sup>1</sup>

### NEW YORK, N. Y.

#### **Spitting—Prohibited in Public Places—Spittoons Required in Certain Factories, Stores, Offices, Etc. (Reg. Bd. of H., Oct. 15, 1918.)**

SEC. 213. *Spitting forbidden.*—Spitting upon the sidewalk of any public street, avenue, park, public square, or place in the city of New York, or upon the floor of any hall in any tenement house which is used in common by the tenants thereof, or upon the floor of any hall or office in any hotel or lodging house which is used in common by the guests thereof, or upon the floor of any theater, store, factory, or of any building which is used in common by the public, or upon the floor of any ferryboat, railroad car, or other public conveyance, or upon the floor of any ferryhouse, depot or station, or upon the station platform or stairs of any elevated or subway railroad or other common carrier, or upon the tracks or roadbed, or into the street from the cars, stairs, or platforms of such elevated or subway railroads, is forbidden. The corporations or persons owning or having the management or control of any such building, store, factory, ferryboat, railroad car, or other public conveyance, ferryhouse, depot or station, or station platform or stairs of any such building, store, factory, ferryboat, railroad car, or other public conveyance, ferryhouse, depot or station, or station platform or stairs of any elevated or subway railroad or other common carrier, shall keep permanently and conspicuously posted in each of said places a sufficient number of notices forbidding spitting upon the floors and calling attention to the provisions of this section.

It shall be the duty of every owner, lessee, or manager of every factory, workroom, store, office, or place of business, in which 10 or more persons are employed, to provide proper receptacles for expectoration. Such receptacles are to be provided in the proportion of one for every two persons so employed, and they are to be cleansed and disinfected at least once in every 24 hours.

A copy of the preceding paragraph shall be kept posted in a conspicuous place in every such factory, workroom, store, office, or place of business.

### NORWICH, CONN.

#### **Spitting—Prohibited in Public Places. (May 7, 1917.)**

SEC. 15. Spitting upon the sidewalk or any public street, avenue, park, public square, or place in the city of Norwich, or upon the floors of public conveyances, or upon the premises of public buildings, theaters, opera houses, or halls, except in proper receptacles, provided for said purpose, is hereby prohibited. It shall be the duty of owners, agents, corporations, or persons having charge of said public conveyances, buildings, theaters, opera houses, or halls to display in a conspicuous place and manner proper signs to be duly approved by said health officer. Every person or corporation willfully violating this regulation or refusing to display said signs shall forfeit and pay a fine of not less than \$5 nor more than \$50 for each offense.

<sup>1</sup> See also Nuisances, p. 387.

## PORT CHESTER, N. Y.

**Spitting—Prohibited in Public Buildings and Public Conveyances.** (Reg. Jan. 21, 1918.)

## CH. 7. MISCELLANEOUS.

**REGULATION 1. *Spitting in public places forbidden.***—Spitting upon the floor of public buildings or buildings used for public assemblage, or upon the floors or platforms or any part of any railroad or trolley car or ferryboat, or any other public conveyance, is forbidden.

## SOMERVILLE, MASS.

**Spittoons—Required in Factories and Workshops.** (Reg. Bd. of H., Oct. 3, 1917.)

**SEC. 50.** Suitable receptacles for expectoration shall be provided in all factories and workshops by the proprietors thereof. Such receptacles shall be of water-tight material, built low, with broad bases, and receiving surfaces at least 9 inches in diameter. The minimum number of such receptacles shall be 1 for every 6 men and 1 for every 20 women employed in said factories or workshops.

## WHEELING, W. VA.

**Spitting—Prohibited in Public Places.** (Ord. effective July 1, 1919.)

**SEC. 70.** It shall be unlawful for any person to expectorate or spit upon the walls, floor, or steps or other walkways or approach to any hotel corridor, hotel office, restaurant, or eating place, public hall, bank, public building, schoolhouse, post office, public office, courthouse, assembly room, street car, or other public conveyance, or upon any sidewalk in the city of Wheeling.

## STABLES AND MANURE.<sup>1</sup>

### LOUISVILLE, KY.

#### Manure—Keeping, Removal, and Transportation—Construction of Receptacles. (Ord. Oct. 6, 1917.)

SECTION 1. It shall be the duty of every person owning, controlling, operating, or having in charge any public or private stable, barn, or place where horses, mules, asses, cattle, sheep, goats, swine, or other live stock are kept to have and maintain at all times upon the premises or adjacent to such stable, barn, or place a receptacle of sufficient dimensions which shall be fly proof from March to November of each year, for the purpose of containing the droppings of manure from such stock, which said receptacle shall have a top or lid so arranged as to be water-tight and fly-proof; and such owner, tenant, or occupant shall each day cause to be deposited therein all droppings from such stock and shall keep the lid thereof closed (except when necessary and briefly open for the purpose of depositing therein or removing therefrom) in such a manner as to prevent the ingress of flies thereto or therefrom.

SEC. 2. Every owner, tenant, or occupant within the city of Louisville shall cause the contents of such receptacle to be removed from the premises at least once a week, and oftener if required by the health department, such requirements applying to the period between March and November of each year.

SEC. 3. No receptacle shall be constructed or used for holding manure the bottom of which is below the surface of the surrounding earth, unless it be constructed of substantial cement or masonry and connected with the public sewer. Receptacles holding manure shall be constructed so as to prevent the entrance of water.

SEC. 4. Manure shall be removed from the stables, barns, and places within the city at the expense of the owner, occupant, or agent, and shall not be used as fertilizer within the city limits without the permission in writing from the health department.

SEC. 5. No manure shall be transported along any public street, alley, or highway within the city of Louisville except in a tight vehicle, which if not closed must be covered with canvas or other suitable material, so as to prevent the falling of the manure therefrom and the access of flies thereto.

SEC. 6. Any person or persons violating or assisting in the violation of any part or parts of this ordinance shall upon conviction be fined not less than \$10 or more than \$50, and each day's continuance of the condition shall be a separate offense.

### MACON, GA.

#### Stables—To Be Maintained in a Sanitary Condition. Manure—Keeping and Removal—Construction of Receptacles. (Reg. Bd. of H., Sept. 12, 1917.)

That from and after the passage of this ordinance any person, firm, or corporation who shall keep or maintain on premises owned or controlled by them any

<sup>1</sup> See also Animals, p. 16; Garbage, refuse, ashes, and waste matter, p. 188; Nuisances, p. 387.

horse, mule, or cow, shall maintain the stable or lot in which such animals are kept in a clean and sanitary condition at all times, and shall provide therein a tightly constructed, fly-proof receptacle into which all manure shall be placed and kept until removed from the premises. This receptacle must have a tight-fitting cover, which shall be kept tightly closed except when manure is being actually placed therein or removed therefrom.

The capacity of such receptacles shall be sufficient to allow at least 2½ cubic feet for each and every animal whose excreta is to be deposited therein.

The contents of these receptacles must be removed from the premises to a place acceptable to the board of health at least once each week.

#### NEW LONDON, CONN.

##### **Manure—Keeping, Removal, and Transportation. (Reg. Dept. of H., Apr. 10, 1917.)**

**RULE 1.** Every property owner who maintains a stable or permits his tenant or tenants to maintain one for stabling horses or cows, must provide a tight-bottomed stall in which to store manure from said animals. Said stall or bin shall be constructed and located to meet the requirements of the health officer. Build a stall similar to a horse stall, three sides with tight bottom.

**RULE 2.** Said manure must be removed, bin thoroughly swept out, and suitable disinfectant sprinkled in the bottom once a week. Eight days is the limit for manure to remain on the premises.

**RULE 3.** All manure to be carried outside of the city limits, except on permission of the health officer.

**RULE 4.** All vehicles carrying manure must have a tight body. Manure must not be piled higher than the top of the body and must be covered.

These rules and regulations shall not apply to farms within the city limits where manure is stored at least 500 feet from any dwelling house located on adjacent property.

#### NEW YORK, N. Y.

##### **Manure—Transportation. (Reg. Bd. of H., Feb. 25, 1919.)**

*Resolved,* That regulation 17 of the regulations governing the transportation of offal, butchers' refuse, manure, swill, ashes, garbage, bones, refuse, and other offensive materials, and relating to section 239 of the sanitary code, be, and the same is hereby, amended and made to read as follows:

**REG. 17. Final disposal.**—Manure may be transported in vehicles to dumps operated under a permit issued by the department of health, or to farms in the unimproved sections of the city of New York.

#### PORTLAND, ME.

##### **Stables, Pens, Etc.—To Be Maintained in a Sanitary Condition. Manure—Keeping, Removal, and Transportation—Construction of Receptacles. (Reg. Bd. of H., June 13, 1917.)**

**SECTION 1.** It shall be unlawful for any person, firm, or corporation, whether as owner, agent, tenant, or occupant, to permit any pen, lot, stable, building, or portion thereof, or place where horses, mules, cattle, live stock, or fowls are kept to become foul, nauseous, or offensive so as to be detrimental to the health of citizens of the city of Portland.



SEC. 2. Every person, firm, or corporation, whether as owner, lessee, employee, or agent, operating or being in charge of any stable, barn, or other place where horses, mules, cows, or other live stock is kept within the limits of the city of Portland shall at all times keep and maintain in or adjacent to said stable, barn, or place, a receptacle or box of sufficient dimensions to hold and contain all manure from said live stock; said receptacle or box shall be so constructed as to be sufficiently tight to prevent any of the contents from filtering through the bottom or sides of same, and shall be covered with a fly-tight lid, which lid shall be kept closed at all times except when it is necessary to open same to deposit or remove the manure from said receptacle or box.

SEC. 3. Except where specially constructed and properly ventilated, water-tight pits inaccessible to flies are provided, all receptacles or containers for manure, including soiled bedding, sweepings, and other refuse incidental to the keeping or housing of live stock shall be completely emptied at least once every seven days from May 1 to October 31, inclusive.

SEC. 4. It shall be unlawful for any person to haul, cart, or transport in, over, or across any street, avenue, alley, or public place within the limits of the city of Portland any manure, animal excreta, or stable sweepings, in any receptacle unless the same be covered and so constructed that its contents in the process of removal or transportation may not be dropped upon any street, avenue, alley, or public place in said city.

SEC. 5. Any violation of any of the provisions of this by-law shall be punishable by a fine of not less than \$10 nor more than \$100 or imprisonment for not less than 10 days nor more than 60 days, or by both such fine and imprisonment.

## VENEREAL DISEASES.<sup>1</sup>

### BIRMINGHAM, ALA.

**Venereal Diseases—Notification of Cases—Instructions and Circular of Information to Be Furnished Patient—Examination of Persons Suspected of Being Infected—Sale of Medicine—Duties of Physicians and Health Officer—Reports to Be Confidential—Advertisements—Maintenance of Dispensaries—Unlawful for Infected Person to Expose Others to Infection—Repression of Prostitution—Issuance of Certificates of Freedom from Venereal Disease. (Ord. 591—C, Oct. 4, 1918.)**

SECTION 1. Syphilis, gonorrhea, and chancroid, hereinafter designated venereal diseases, are hereby recognized and declared to be contagious, infectious, communicable diseases and dangerous to the public health. And it shall be unlawful for any person to treat or prescribe for any person having any such disease, except a physician holding a certificate of qualification from the Alabama State Board of Medical Examiners.

SEC. 2. Any physician who makes any diagnosis in, or treats a case of syphilis, gonorrhea, or chancroid, and every superintendent or manager of a hospital or dispensary or penal institution in which there is a case of venereal disease shall report such case immediately in writing to the city health officer, stating the physician's or institution's office number, age, color, and occupation of such diseased person, the date, as near as it can be arrived at, of the onset of the disease, and the probable source of infection, and the report shall be inclosed in a sealed envelope and sent to the city health officer: *Provided*, That the name and address of such diseased person shall also be furnished to the city health officer as hereinafter specifically required, but not otherwise.

SEC. 3. It shall be the duty of every physician who examines or treats a person having syphilis, gonorrhea, or chancroid to instruct him or her in measures for preventing the spread of such disease, and of the necessity for treatment until cured, and to furnish to such person a copy of the circular of information obtainable for such purpose from the State board of health.

SEC. 4. It shall be the duty of the city health officer to use every available means to ascertain the existence of, and to investigate all diseases of syphilis, gonorrhea, and chancroid within the city of Birmingham, and to ascertain the sources of such infection. The city health officer is hereby empowered and directed to make such examinations of all persons reasonably suspected of having syphilis, gonorrhea, or chancroid, as may be necessary for carrying out the provisions of this ordinance. Owing to the prevalence of such diseases among prostitutes and persons associated with them, all such persons are to be considered within the above class.

SEC. 5. Upon a receipt of a report of a case of venereal disease, it shall be the duty of the health officer to institute measures for the protection of other persons from infection by such venereally diseased person.

SEC. 6. That it shall be unlawful for a druggist or any other person to sell any drug, medicine, or preparation or preparations, advertised, called for, or

<sup>1</sup> See also Communicable diseases, p. 62.

labeled as a cure or treatment of a venereal disease, except on written prescription of a licensed physician.

SEC. 7. Whenever a person applies to a physician for treatment for venereal disease, it shall be the duty of the physician to inquire of and ascertain from the person seeking treatment whether such person has heretofore consulted with or been treated by any other physician, and if so, to ascertain the name and address of the physician last theretofore consulted. It shall be the duty of the applicant for treatment to furnish this information, and refusal to do so or falsely stating the name and address of such physician consulted shall be deemed a violation of this ordinance. It shall be the duty of the physician, where the applicant has theretofore received treatment, to immediately notify by mail the physician theretofore treating such applicant of the change of physician; such notification to be made upon a form furnished for that purpose by the department of health. Should the physician previously consulted fail to receive such notice within five days after the last appearance or treatment administered by him to such venereally diseased person, it shall be the duty of such physician to report to the health department the name and address of such venereally diseased person.

SEC. 8. It shall be the duty of the physician treating any person infected with a venereal disease to make and keep an accurate record of each and every time such person so diseased is visited or seen for the purpose of consultation or treatment, and each and every person so seen or visited shall be instructed by the physician or person responsible for the treatment as to the day or date on which said person so diseased shall be expected to be next visited or seen for the purpose of treatment or consultation, and if after five days from the day or date so specified the person so instructed has not returned to or been visited or seen by the physician responsible for the treatment, it shall be the duty of the said physician to immediately report to the health department the name and address of such venereally diseased person.

SEC. 9. Upon receipt of a report of a case of venereal disease, it shall be the duty of the health officer to institute such measures for the protection of other persons from infection by such venereally diseased person as said health officer is already empowered to use to prevent the spread of other contagious, infectious, or communicable diseases.

SEC. 10. All information and reports concerning persons infected with venereal diseases shall be confidential and shall not be accessible to the public, except in so far as publicity may attend the performance of the duty imposed upon the health officer in the preceding sections.

SEC. 11. It shall be the duty of either of the parents of minors who may contract a venereal disease, where such minor is living with the parents, upon being notified by the health officer or the attending physician, to compel such minor to comply with the requirements of this ordinance, and upon failure of such minor to comply, to report such matter or fact to the health officer.

SEC. 12. It shall be unlawful for any person to publish, deliver, distribute, or cause to be published, delivered, or distributed in any manner whatsoever in the city of Birmingham, an advertisement concerning a genito-urinary or venereal disease, lost manhood, lost vitality, impotency, sexual weakness, seminal emissions, varicocele, self-abuse, or excessive sexual indulgence and calling attention to a medicine, article, or preparation that may be used therefor, or to a person or persons from whom, or an office or place at which, information, treatment, or advice relating to such disease, infirmity, habit, or condition may be obtained: *Provided, however,* That this section shall not apply to didactic or scientific treatises which do not advertise or call attention to any person

or persons from whom, or any office or place at which, information, treatment, or advice may be obtained, nor shall it apply to advertisements or notices issued by the department of health of the city of Birmingham.

SEC. 13. No public dispensary where communicable diseases are treated or diagnosed shall be conducted or maintained in the city of Birmingham otherwise than in accordance with the regulations provided by the department of health.

SEC. 14. It shall be unlawful for any person afflicted with a venereal disease to knowingly transmit or assume the risk of transmitting, or to do any act likely to transmit such venereal disease to another person.

SEC. 15. It shall be unlawful for any druggist or clerk or employee of any druggist, or any person not a physician holding a certificate of a qualification from the State board of medical examiners of the State of Alabama, to prescribe or recommend to any person any drug, medicine, or other substance to be used for the cure, treatment, or alleviation of gonorrhea, syphilis, or chancroid, and it shall be unlawful for any such person to compound any drug or medicine for such purpose from any written formula or order not written for the person for whom the drugs or medicines are compounded and not signed by a physician holding a certificate of qualification from the State board of medical examiners.

SEC. 16. Prostitution is hereby declared to be a prolific source of syphilis, gonorrhea, and chancroid, and the repression of prostitution is declared to be a public-health measure. It shall be the duty of the health officer and all deputy health officers to cooperate with the proper officials whose duty it is to enforce laws directed against prostitution, and otherwise to use every proper means for the repression of prostitution.

SEC. 17. It shall be unlawful for any physician, health officer, or other person to issue a certificate of freedom from venereal disease: *Provided*, That this section shall not prevent the issuance of necessary statements of freedom from infectious diseases written in such form or given under such safeguards as to make the use of such certificates for the solicitation of prostitution impossible.

SEC. 18. Any person violating any of the provisions of this ordinance shall upon conviction, be punished within the limits and as provided for by section 1216 of the Code of Alabama of the year 1907.

SEC. 19. That should any section, phrase, sentence, paragraph, or other portion of this ordinance be declared invalid or unconstitutional, that shall not affect any other portion of the ordinance not so declared invalid or unconstitutional.

**Venereal Diseases—Examination for, of Persons Arrested and Charged with Certain Offenses—Isolation and Treatment When Found Infected. (Ord. 593-C, Oct. 4, 1918.)**

SECTION 1. The venereal diseases are hereby defined to be syphilis, gonorrhea, and chancroid, and are declared to be contagious, infectious, communicable, and dangerous to the public health.

SEC. 2. That whenever any person charged with the violation of any ordinance relating to prostitution, lewdness, the keeping or setting up of a house of ill fame, brothel, or bawdy house, street walking or soliciting for prostitution or for any immoral purpose, or vagrancy is arrested, it shall be the duty of the person making such arrest to immediately report, in writing, the name, address, and charge made against such person arrested to the health officer of the city of Birmingham



SEC. 3. That it shall be the duty of the recorder before whom the case of the person arrested on such charge is pending to order an examination by said health officer, or under his direction, for the purpose of determining whether or not such person arrested is infected with a venereal disease, and it shall be the duty of the city health officer, and he shall have full power and authority to subject such person so arrested and so charged to an examination for the purpose of determining whether or not such person is infected with a venereal disease. Should the examination of such person disclose the existence of a venereal disease such person shall be isolated and confined in an isolation hospital to be provided therefor by the city of Birmingham, under the direction of the city health officer, and such person shall be treated in such manner as may be required to cure such disease, and shall be held in confinement in such isolation hospital until the said city health officer shall deem it safe to the public for such person to be discharged from such isolation hospital. Immediately upon such isolation and confinement of such person a written notice thereof, signed by the city health officer or by his duly authorized deputy or assistant, shall be given to the recorder before whom such charge was made, and thereupon the trial of such charge (if said trial be not already concluded) shall be suspended or deferred until such person shall have been discharged by said city health officer from such isolation hospital, and upon such discharge of such person written notice thereof, signed by the said city health officer, his deputy or assistant, shall be given to said recorder and the trial of such charge shall be had and proceeded with according to law.

SEC. 4. That it shall be the duty of every person arrested and charged with the violation of any ordinance or law relating to prostitution, lewdness, the keeping or setting up of a house of ill fame, brothel, or bawdy house, street walking or soliciting for prostitution or for any immoral purpose, or vagrancy, as set forth in section 2 of this ordinance, to agree to and subject himself or herself to the examination provided for in section 3 of this ordinance.

SEC. 5. That it shall be the duty of every person found, under the provisions of this ordinance, to be infected with a venereal disease, to comply with all the provisions of this ordinance relating to treatment, care, and isolation of persons infected with venereal diseases.

SEC. 6. That the city health officer, as well as the police authorities of the city, is hereby invested with the authority and charged with the duty to enforce the provisions of this ordinance and to prosecute all persons charged with violating the same, and to that end its officers, agents, employees, inspectors, and appointees shall have the right to enter any premises or place in the city of Birmingham for the purpose of inspection for violations thereof.

SEC. 7. That each day's violation of any of the provisions of this ordinance shall constitute a separate and distinct offense.

SEC. 8. That any person violating any provisions of this ordinance shall, on conviction, be punished as provided by and within the limits of section 1216 of the Code of Alabama of 1907.

SEC. 9. That any person convicted of violating any of the provisions of this ordinance and sentenced to be punished by imprisonment, as provided in section 8 of this ordinance, shall, if such person is infected with a venereal disease, be confined during the term of said imprisonment.

SEC. 10. That should any section, portion, paragraph, sentence, or phrase of this ordinance be declared invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other section or portion of the ordinance not so declared invalid or unconstitutional.

DENVER (CITY AND COUNTY), COLO.

**Venereal Diseases—Notification of Cases—Quarantine and Isolation—Sale of Medicine—Reports by Druggists. (Ords. Feb. 19, and Nov. 13, 1918.)**

SECTION 1. That diseases such as syphilis, gonorrhea, and chancroid are hereby designated as venereal diseases, and are hereby recognized and declared to be contagious, communicable, infectious, and dangerous to the public health.

SEC. 2. That the manager of health and charity is hereby given the power, for the purpose of protecting the public health, to quarantine and isolate all cases of venereal diseases described in section 1 hereof when, in his opinion, they are a menace to the public health and to the citizens of the city and county of Denver.

SEC. 3. That all physicians in attendance at any hospital or institution, or who are prescribing for or attending any private patient afflicted with any of said venereal diseases, or any physician having knowledge that any person is suffering from any of said diseases, shall, within 48 hours after obtaining such knowledge, report all such cases, giving name, address, and occupation of the person to the manager of health and charity. And all persons afflicted with any of such venereal diseases shall, within 48 hours after discovering such affliction, report such fact to said manager, giving name, address, and occupation.

SEC. 4. No medicine, remedy, or preparation of any kind for the relief or cure of any of said venereal diseases shall be sold by anyone within the city and county of Denver except upon the original written prescription of a licensed practicing physician, which prescription shall bear the name, address, and occupation of the person for whom such prescription is intended, and no such prescription shall again be refilled or a copy given of same, and which said prescription shall be kept on file by any druggist filling same, subject to inspection by any authorized representative of the manager of health and charity of the city and county of Denver, and shall in addition keep the record hereinafter provided for.

All druggists and other persons filling any prescription, or selling any medicine for the relief or cure of any of said venereal diseases, shall keep a record thereof, and shall, within 48 hours after filling such prescription or selling or dispensing said remedies for such purposes, report the name, address, and occupation of the person for whom such prescription is intended or remedy sold or dispensed to the manager of health and charity.

No prescription shall be made out or filled or remedy sold by any physician or other person unless the person applying therefor shall give the name, address, and occupation of the person for whom such remedy is to be used.

Any person applying to any druggist or other person to have any prescription filled or to purchase any remedy for said venereal diseases, or reporting any case of venereal disease to the manager of health and charity, who shall falsely report the name, address, or occupation of the person having such venereal disease, or the person for whom the prescription or remedy is intended, shall be deemed to have violated this ordinance.

SEC. 5. The superintendent, manager, or other person in charge of any hospital, sanitarium, or other institution in the city and county of Denver in which any patient is being treated for any of said venereal diseases, or is found to have the same, shall, within 48 hours after any such disease is discovered, report such fact, together with the name, address, and occupation of the person or persons so afflicted to the manager of health and charity.

SEC. 6. All reports made to the manager of health and charity under the provisions of this ordinance are for the purpose of enabling him to properly per-

form his public duties under the provisions hereof, and the record of the same kept by him shall be his confidential record and shall not be open to public inspection.

SEC. 7. Any person, firm, or corporation violating any of the provisions of this ordinance shall upon conviction be fined in a sum not to exceed \$300 or imprisoned not exceeding 90 days, or both fined and imprisoned, in the discretion of the court.

#### LOUISVILLE, KY.

**Venereal Diseases—Notification of Cases—Instructions to Be Given Patient—Examination of Persons Suspected of Being Infected—Quarantine—Prescribing, Recommending, and Compounding Medicine—Unlawful for Infected Person to Expose Others to Infection—Repression of Prostitution—Issuance of Certificates of Freedom from Venereal Disease—Records to be Confidential. (Ord. 81, July 3, 1918.)**

*Venereal diseases declared dangerous to the public health.*—Syphilis, gonorrhea, and chancroid, hereinafter designated venereal diseases, are hereby declared to be contagious, infectious, communicable, and dangerous to the public health.

SECTION 1. *Venereal diseases to be reported.*—Any physician or other person who makes a diagnosis in, or treats, a case of syphilis, gonorrhea, or chancroid, and every superintendent or manager of a hospital, dispensary, or charitable or penal institution in which there is a case of venereal disease shall report such case immediately in writing to the health officer of the city of Louisville, stating the name and address or the office number, age, sex, color, and occupation of the diseased person, and the date of onset of the disease, and the probable source of the infection: *Provided*, That the name and address of the diseased person need not be stated except as hereinafter specifically required. The report shall be inclosed in a sealed envelope and sent to the health officer of the city of Louisville, who shall report at least once in every three months on the prescribed form to the State board of health all cases reported to him.

SEC. 2. *Patients to be given information.*—It shall be the duty of every physician and of every other person who examines or treats a person having syphilis, gonorrhea, or chancroid to instruct him in measures for preventing the spread of such disease and inform him of the necessity for treatment until cured.

SEC. 3. *Investigation of cases.*—The city health officer shall use every available means to ascertain the existence of, and to investigate, all cases of syphilis, gonorrhea, and chancroid within the city of Louisville, and to ascertain the sources of such infections. The health officer is hereby empowered and directed to make such examinations of persons reasonably suspected of having syphilis, gonorrhea, or chancroid as may be necessary for carrying out these regulations. Owing to the prevalence of such diseases among prostitutes and persons associated with them, all such persons are to be considered within the above class.

SEC. 4. *Protection of others from infection by venereally diseased persons.*—Upon receipt of a report of a case of venereal disease it shall be the duty of the health officer to institute measures for the protection of other persons from infection by such venereally diseased person.

(a) The health officer is authorized and directed to quarantine persons who have, or are reasonably suspected of having, syphilis, gonorrhea, or chancroid

whenever, in the opinion of said health officer, or the State board of health, or its secretary, quarantine is necessary for the protection of the public health. In establishing quarantine the health officer shall designate and define the limits of the area in which the person known to have, or reasonably suspected of having, syphilis, gonorrhea, or chancroid, and his immediate attendant are to be quarantined and no persons other than the attending physicians shall enter or leave the area of quarantine without the permission of the health officer.

Every breach of such quarantine and every refusal to abide by it shall be considered a violation of this ordinance, and each hour such breach or refusal continues shall be considered a separate violation.

No one but the health officer shall terminate said quarantine, and this shall not be done until the diseased person has become noninfectious, as determined by the local health officer or his authorized deputy through the clinical examination and all necessary laboratory tests, or until permission has been given him so to do by the State board of health or its secretary.

(b) The local health officer shall inform all persons who are about to be released from quarantine for venereal disease, in case they are not cured, what further treatment should be taken to complete their cure. Any person not cured before release from quarantine shall be required to sign the following statement after the blank spaces have been filled to the satisfaction of the health officer:

"I, \_\_\_\_\_, residing at \_\_\_\_\_, hereby acknowledge the fact that I am at this time infected with \_\_\_\_\_, and agree to place myself under the medical care of \_\_\_\_\_ within \_\_\_\_\_ hours, and that I will remain under treatment of said physician or clinic until released by the health officer of the city of Louisville or until my case is transferred with the approval of said health officer to another regularly licensed physician or an approved clinic.

"I hereby agree to report to the health officer within four days after beginning treatment as above agreed, and will bring with me a statement from the above physician or clinic of the medical treatment applied in my case, and thereafter will report as often as may be demanded of me by the health officer.

"I agree, further, that I will take all precautions recommended by the health officer to prevent the spread of the above disease to other persons, and that I will not perform any act which would expose other persons to the above disease.

"I agree, until finally released by the health officer, to notify him of any change of address and to obtain his consent before moving my abode outside his jurisdiction.

"Signature \_\_\_\_\_

"Date \_\_\_\_\_"

"All persons signing the above agreements shall observe its provisions, and any failure so to do shall be a violation of this ordinance. All such agreements shall be filed with the health officer and kept inaccessible to the public as provided in rule 10."

SEC. 5. *Conditions under which the name of a patient is required to be reported.*—(a) When a person applies to a physician or other person for the diagnosis or treatment of syphilis, gonorrhea, or chancroid, it shall be the duty of the physician or person so consulted to inquire of and ascertain from the person seeking such diagnosis or treatment whether such person has theretofore consulted with or has been treated by any other physician or person last consulted. It shall be the duty of the applicant for diagnosis or treatment to furnish this information, and a refusal to do so or a falsification of the name and address of such physician or person consulted by such applicant shall be deemed a violation of this ordinance. It shall be the duty of the physician or other person whom the applicant consults to notify the physician or other person last consulted of the change of advisers. Should the physician or person previously consulted fail to receive such notice within 10 days after the last date upon



which the patient was instructed by him to appear, it shall be the duty of such physician or person to report to the local health officer the name and address of such venereally diseased person.

(b) If an attending physician or other person knows or has good reason to suspect that a person having syphilis, gonorrhea, or chancre is so conducting himself or herself as to expose other persons to infection, or is about so to conduct himself or herself, he shall notify the health officer of the name and address of the diseased person and the essential facts of the case.

SEC. 6. *Druggists forbidden to prescribe for venereal diseases.*—No druggist or other person not a physician licensed under the laws of the State shall prescribe or recommend to any person any drugs, medicines, or other substances to be used for the cure or alleviation of gonorrhea, syphilis, or chancre, or shall compound any drugs or medicines for said purpose from any written formula or order not written for the person for whom the drugs or medicines are compounded and not signed by a physician licensed under the laws of the State.

SEC. 7. *Spread of venereal disease unlawful.*—It shall be a violation of this ordinance for any infected person knowingly to expose another person to infection with any of the said venereal diseases or for any person to perform an act which exposes another person to infection with venereal disease.

SEC. 8. *Prostitution to be repressed.*—Prostitution is hereby declared to be a prolific source of syphilis, gonorrhea, and chancre, and the repression of prostitution is declared to be a public-health measure. The health officer is therefore directed to cooperate with the proper officials whose duty it is to enforce laws directed against prostitution and otherwise to use every proper means for the repression of prostitution.

SEC. 9. *Giving certificates of freedom from venereal diseases prohibited.*—Physicians, health officers, and all other persons are prohibited from issuing certificates of freedom from venereal disease: *Provided*, This rule shall not prevent the issuance of necessary statements of freedom from infectious diseases written in such form or given under such safeguards that their use in solicitation for sexual intercourse would be impossible.

SEC. 10. *Records to be secret.*—All information and reports concerning persons infected with venereal diseases shall be inaccessible to the public except in so far as publicity may attend the performance of the duties imposed by these regulations and by the laws of the State.

SEC. 11. The duties and authority herein imposed on and given the health officer may be performed and exercised by any of his assistants.

SEC. 12. Any person violating any of the provisions of this ordinance shall be fined not less than \$5 nor more than \$50.

### MILWAUKEE, WIS.

#### Venereal Diseases—Posting of Notices in Toilets by Commissioner of Health. (Ord. 238, Dec. 17, 1917.)

SECTION 1. There are added to the Milwaukee Code of 1914 two new sections to read:

SEC. 756.7. The commissioner of health is hereby directed to prepare and post in a conspicuous place in all public and semipublic toilets in the city of Milwaukee a notice to the effect that any person afflicted or believing himself or herself afflicted with a contagious or infectious venereal disease may apply to the department of health for a laboratorial test and for advice as to the best method of treatment. It shall be the duty of the commissioner of health to pro-

vide for an examination of all such applicants by a physician of the health department who shall forthwith advise applicant as regards his condition of health.

SEC. 756.8. It is hereby made the duty of every owner and every person in charge of any toilet in which notices are posted in conformity with section 756.7 to see that said notices are kept so posted and to report to the commissioner of health forthwith if any such notice is torn down, defaced, destroyed, or removed. Any person who shall deface, destroy, tear down, or remove any notice posted in accordance with the provisions of section 756.7 shall be subject to a penalty of not less than \$10 nor more than \$25 for each offense, together with the costs of prosecution, and in default of payment of such penalty and costs shall be imprisoned in the county jail or house of correction of Milwaukee County for a period not to exceed 30 days or until such penalty and costs are paid.

### NEW ORLEANS, LA.

#### **Venereal Diseases—Examination of Prisoners for—Isolation and Treatment When Found Infected. (Ord. 5464, July 29, 1919.)**

SECTION 1. That it shall be the duty of the board of health for the parish of Orleans and the city of New Orleans (hereinafter called the city board of health), and it shall have full power and authority to examine all persons who are or shall hereafter be confined in the parish prison, the house of detention, the police jails, or any other prison or place of judicial confinement, located within and under the authority of the city of New Orleans, to ascertain if such persons so confined are infected with a venereal disease as defined in ordinance No. 5112, commission council series, and to that end the said city board of health shall have authority to take from such person such blood, mucus, or other specimens for laboratory tests as may be necessary in the ascertainment of the existence of venereal diseases.

SEC. 2. That it shall be the duty of every person so confined or imprisoned in such parish prison, house of detention, police jail, or other prison or place of judicial confinement, to agree to and subject himself or herself to such examination and to authorize and submit to the taking of the specimens provided for in section 1 of this ordinance.

SEC. 3. That it shall be the duty of every person found, under the provisions of this ordinance, to be infected with a venereal disease, to comply with and submit to the provisions of this ordinance relating to the isolation, treatment, and care of persons infected with venereal diseases.

SEC. 4. That should the examination of laboratory tests herein provided for disclose the existence of a venereal disease, such person shall be removed to and shall be isolated and confined in an isolation department, which has been provided for that purpose, in the "house of detention" in this city, and shall be treated in such manner as may be required to cure said disease, and such person shall be held in such isolation department until the said city board of health shall deem it safe to the public for such person to be discharged therefrom.

If at the date such person may be discharged from said isolation department such person be under sentence, which sentence has not then expired, such person shall be returned to the parish prison, the house of detention, police jail, or other prison or place of judicial confinement from which such person was taken to serve the remainder of such sentence.

If any person under sentence is confined in such isolation department under treatment for a venereal disease, and the term of such sentence shall have expired before such person shall be deemed to be safe to the public to discharge

such person shall be detained in said isolation department of the house of detention until the said city board of health shall deem it safe to the public for such person to be discharged therefrom.

SEC. 5. That the said city board of health is hereby invested with the authority and charged with the duty of enforcing the provisions of this ordinance, and to that end such officers, agents, employees, inspectors, and appointees as shall be designated by it for that purpose shall have the right to enter said parish prison, house of detention, police jails, or other prisons or places of judicial confinement for the purpose of inspection for violations thereof and to make the examinations and to take the specimens provided for in section 1 hereof.

SEC. 6. That whenever such officer, agent, employee, inspector, or appointee authorized by section 5 of this ordinance shall remove a person suffering from a venereal disease from the parish prison, the house of detention, the police jails, or other prison or place of judicial confinement to the isolation department of the house of detention, he shall give a receipt for such person to the city or parish official or deputy in charge of such parish prison, house of detention, police jail, or other prison or place of judicial confinement from which such person was removed.

SEC. 7. That it shall be the duty of the city and parish officials and their authorized deputies in charge of the parish prison, the house of detention, the police jails and other prisons or places of judicial confinement, to cooperate with the city board of health, its officers, agents, employees, inspectors, and appointees, provided for in section 5 of this ordinance, in the enforcement of the provisions of this ordinance, and to deliver to the city board of health, or to its representative, as provided for in sections 5 and 6 of this ordinance such person as the said city board of health, through its authorized representative, shall find to be suffering from a venereal disease, and take a receipt for such person from the representative of the said city board of health who removes such person, and should such person be returned to serve the remainder of his or her sentence, such representative of the said city shall give a receipt to said board of health for the return of said person.

SEC. 8. That each day's violation of any of the provisions of this ordinance shall constitute a separate and distinct offense.

SEC. 9. That any person violating any of the provisions of this ordinance shall, on conviction, be punished by a fine of not less than \$5 nor more than \$25, or, in default of payment of such fine, by imprisonment in the parish jail for not less than 5 nor more than 30 days, or both, at the discretion of the court having jurisdiction.

SEC. 10. That nothing in this ordinance shall be construed as repealing, amending, or in any way affecting the provisions of ordinance No. 5112, commission council series, entitled "An ordinance to better protect the public health and particularly to prevent the introduction into and the spread of venereal diseases in the city of New Orleans; to define venereal diseases; to provide for the inspection of suspected and reported cases, and the isolation, care, and cure of persons infected with such diseases, under the authority and direction of the board of health for the parish of Orleans and the city of New Orleans, and providing penalties for its violation," approved May 28, 1918.

NEW YORK, N. Y.

**Syphilis and Gonorrhea—Notification of Cases—Circular of Information and Instructions to Be Given Patient—Reports to Be Confidential. (Res. Bd. of H., June 28, 1917.)**

*Resolved*, That section 88 of the sanitary code be and is hereby amended to read as follows:

**Sec. 88. Duty of superintendents of hospitals and dispensaries and of physicians, to report cases of venereal disease.**—It shall be the duty of the manager, superintendent, or person in charge of any correctional institution and of every public or private hospital, dispensary, clinic, asylum, or charitable institution in the city of New York to report promptly to the department of health the name or initials, together with the sex, age, marital state, and address of every occupant or inmate thereof or person treated therein affected with syphilis or gonorrhea; and it shall also be the duty of every physician in the said city to promptly make a similar report to the department of health relative to any person found by such physician to be affected with syphilis or gonorrhea. All reports made in accordance with the provisions of this section, and all records of clinical or laboratory examinations indicating the presence of syphilis or gonorrhea shall be regarded as confidential, and shall not be open to inspection by the public or by any person other than the official custodian of such reports or records in the department of health, the commissioner of health, and such other persons as may be authorized by law to inspect such reports or records, nor shall the custodian of any such report or record, the said commissioner of health, or any such other person divulge any part of any such report or record so as to disclose the identity of the person to whom it relates.

It shall be the duty of every physician to furnish and deliver to every person found by such physician to be affected with syphilis or gonorrhea a circular of instruction and advice, issued or approved by the department of health of the city of New York, and to instruct such person as to the precautions to be taken in order to prevent the communication of the disease to others. No person affected with syphilis or gonorrhea shall, by a negligent act, cause, contribute to, or promote the spread of such diseases.

**Venereal Diseases—Examination of Certain Persons for—Laboratory Examinations—Treatment—Isolation—Hospitalization—Prohibited Acts and Occupations. (Reg. Bd. of H., July 23, 1918.)**

**REGULATION 1. Medical examination.**—Whenever a person is required under and by virtue of the provisions of section 343m or section 343n of chapter 264, laws of 1918, to submit to a medical examination for the purpose of ascertaining whether or not such person is suffering from or infected with an infectious venereal disease, such examination shall be made by a physician of the department of health of the city of New York or, at the option of the person to be examined, by a licensed physician engaged by such person who, in the opinion of the director of the bureau of preventable diseases, is qualified for this work and is approved by him, and shall include the following:

- (a) An inspection of the skin of the entire body, including the anal and perianal regions, to determine the presence or absence of syphilitic manifestations.
- (b) An inspection of the mucous membrane of the mouth, throat, nose, and of the genitalia, so far as accessible, to determine the presence or absence of syphilitic manifestations.



(c) An inspection of the genitalia and anal region to determine the presence or absence of gonorrhea.

It shall be the duty of every physician making such medical examination to file with the department of health of the city of New York within 24 hours thereafter a report of the result of each examination upon official blank forms furnished for such purpose.

REG. 2. *Specimens of blood and bodily discharges to be obtained.*—It shall be the duty of every physician making a medical examination in accordance with the provisions of section 343m, chapter 264, laws of 1918, to obtain at the time of such examination specimens of blood from the person so examined for the purpose of making the complement fixation tests for syphilis and gonorrhea; specimens of the bodily discharges from the urethra and the prostate gland, in the case of male persons, and from the urethra, vagina, cervix, and Bartholin's glands in the case of female persons, for the purpose of laboratory examination, and from suspicious lesions for microscopic examination to determine the presence or absence of *Spirochete pallida*. Such physicians shall place all specimens obtained as aforesaid in suitable containers, to each of which said containers shall be affixed a label or tag, upon which said label or tag the following information shall be clearly and legibly set forth in English:

(1) Name, age, and address of the person from whom such specimens have been obtained.

(2) Date when such specimens were obtained.

(3) Name and address of physician obtaining such specimens.

Such specimens shall thereafter be delivered to a laboratory of or one approved by the board of health of the department of health of the city of New York within 24 hours from the time such specimens have been obtained.

REG. 3. *Specimens of blood and bodily discharges to be promptly examined.*—All specimens of blood and bodily discharges, delivered by a physician to a laboratory of, or one approved by, the board of health of the department of health of the city of New York, in accordance with the provisions of regulation 2 of these rules and regulations, must be examined by a duly qualified person, who shall, within 24 hours after the receipt thereof, report the result of such examination, upon official blank forms furnished for such purpose, to the director of the bureau of preventable diseases of the department of health of the city of New York and to the physician delivering such specimens to the laboratory.

REG. 4. *Treatment.*—Every person who by the examination as provided for in section 343m of chapter 264, laws of 1918, is found to be suffering from or infected with any infectious venereal disease shall submit to the following prescribed course of treatment, administered at regular intervals over a sufficient period of time and until such person is no longer likely to infect or be a source of infection to any other person:

(a) If such person is found to be suffering from syphilis, treatment shall consist of the intravenous use of arsphenamine, or its analogues; the intramuscular injections of a suitable preparation of mercury or the administration of a suitable preparation of mercury by rubbing; and the local application of suitable medicinal preparations to prevent the spread of infection from open lesions or sores; or such treatment shall consist of such other suitable treatment as is recognized and administered by standard authorities, as indicated in each particular case.

(b) If such person is found to be suffering from gonorrhea, treatment shall consist of the use of suitable medicinal preparations, recognized by standard authorities, administered by means of irrigation, injection, and instillation, as may be indicated in each particular case.

**REG. 5. Isolation.**—Every person who by the examination as provided for in section 343m of chapter 264, laws of 1918, is found to be suffering from or infected with any infectious venereal disease shall be removed to a hospital of, or one designated by, the board of health of the department of health of the city of New York, unless the following accommodations, facilities, and requirements can be and are provided at the home of such person for the proper isolation, medical care, and treatment of such infected person:

(a) Such infected person shall be attended by a duly licensed physician engaged by such person, who has been approved by the department of health of the city of New York, and such infected person shall visit, or be visited by, such physician at regular stated intervals.

(b) The room or rooms occupied by such infected person shall be separate and apart from the room or rooms occupied by other persons.

(c) Such infected person shall have a separate bed for his or her exclusive use.

(d) A separate toilet and separate washing facilities must be provided for the exclusive use of such infected person.

(e) All the personal and bed linen, wash cloths, and sponges used by such infected person shall be kept separate and apart from those used by any other person and when soiled must be boiled or otherwise properly sterilized on premises.

(f) Whenever such person is suffering from or infected with syphilis, in communicable form, and likely to infect or to be the source of infection of any other person, all eating and drinking utensils used by such person must be kept separate and apart from those used by other persons and shall be boiled after each and every use.

(g) Whenever such person is suffering from or infected with syphilis, in communicable form, and is likely to infect or to be the source of infection of any other person, combs, hairbrushes, nail files, toothbrushes, and other toilet articles used by such person, shall be used exclusively by such infected person and shall be kept separate and apart from those used by other persons and shall be thoroughly cleansed after each use.

**REG. 6. Prohibited acts and employment.**—Whenever such person is suffering from or infected with syphilis, in communicable form, and is likely to infect or to be the source of infection of any other person, such infected person shall not eat or drink in any hotel, restaurant, drug store, saloon, or other public eating or drinking place, nor shall any such infected person use any eating or drinking utensil at any place where food or drink is served, sold, or dispensed to the public, nor engage in the preparation or manufacture of food, drink, beverages, cigars, tobacco, liquors, smoking pipes, cigar or cigarette holders, toothbrushes, intended for human use, except for the sole and exclusive use of the person so engaged, nor shall any such infected person sell or distribute any such articles.

**REG. 7. Removal of convicted person to hospital of, or one approved by, the department of health of the city of New York.**—Whenever a convicted person, as defined by section 343n, chapter 264, laws of 1918, has been found, after the medical examination provided for in section 343m of chapter 264, laws of 1918, to be suffering from or infected with an infectious venereal disease, and who has been committed by a court of competent jurisdiction to a correctional or penal institution, and who, at the termination of the period of commitment, is found by a physician of the department of health, or, at the option of the person to be examined, by a licensed physician who, in the opinion of the director of the bureau of preventable diseases, is qualified for this work and is approved by him, to be suffering from or infected with an infectious

venereal disease and is likely to be a source of infection to other persons, such infected person shall be removed to a hospital of, or one designated by, the board of health of the department of health of the city of New York, unless the accommodations, facilities, and requirements prescribed by regulation 5 of these rules and regulations, for the isolation and medical care and treatment of such person can be and are established and provided at his or her home.

REG. 8. *Duty of attending physician.*—No physician shall examine or treat any suspected or convicted person as provided for in section 343m and section 343n, chapter 264, laws of 1918, unless such physician shall have first received the approval, in writing, of the director of the bureau of preventable diseases of the department of health of the city of New York. Upon receiving the approval of said director it shall be the duty of every such physician immediately upon discovering that such suspected or convicted person is suffering from or infected with an infectious venereal disease to cause such person to be isolated in accordance with regulation 5 of these rules and regulations. If such physician suspects the presence of venereal disease in the person so examined, but is unable to make a positive diagnosis at the time of such examination, but is of the opinion that the patient may be infected with an infectious venereal disease, he should secure the isolation of such patient and take such other necessary precautions as will prevent danger of the spread of the disease until a positive diagnosis is made. Every such physician shall promptly report, in writing, to the director of the bureau of preventable diseases of the department of health the refusal, neglect, or failure of any person suffering from an infectious venereal disease, who is under his care and treatment, to comply with the requirements of regulations 4 and 5 of these rules and regulations.

REG. 9. *Termination of isolation and treatment.*—Whenever it shall appear to the satisfaction of the director of the bureau of preventable diseases of the department of health of the City of New York that a person, who by the examination provided for in section 343m, chapter 264, laws of 1918, is found suffering from or infected with an infectious venereal disease is no longer likely to infect or to be a source of infection to any other person, the said director of the bureau of preventable diseases may terminate the isolation and treatment of such person, provided for in these rules and regulations.

REG. 10. *Removal of persons infected with infectious venereal diseases.*—Whenever an inspector or other duly authorized representative of the department of health shall report, in writing, to the director of the bureau of preventable diseases of said department that any person infected with an infectious venereal disease has failed, neglected, or refused to comply with the provisions of regulations 4 or 5 of these rules and regulations and that the continuance of such person in the place where he or she resides is dangerous to the lives and health of other persons, said director may cause the removal of such person to a hospital of, or one designated by, the board of health of the department of health of the city of New York. The report referred to shall contain a detailed statement showing the facts and evidence including the clinical and laboratory findings, if practical, and facts as to home conditions upon which such inspector or other duly authorized representative bases his opinion that such person is a danger to others. Upon the receipt of said report, the said director of the bureau of preventable diseases shall carefully review the facts and evidence embodied in or accompanying said report and if, in his opinion, the person referred to therein is, under the circumstances, a menace to the lives and health of other persons, he shall make an order directing the medical officer in charge of a hospital of, or one designated by, the board of health of the department of health of the city of New York, authorizing and

directing [sic] the removal of such person from the place where he or she may be to such hospital. The original order authorizing and directing the removal of such person to the hospital shall be delivered to the medical officer in charge of said hospital and shall constitute his authority to remove to, and detain such person at, such hospital for proper medical care and treatment. During the period of such detention, the prescribed course of treatment, provided for in regulation 4, of these rules and regulations, shall be administered to such person. Such person shall be detained at such hospital until such time as the medical officer in charge of such hospital determines that such person is no longer likely to infect or to be a source of infection of any other person. Upon determining such fact, the said medical officer in charge, of such hospital shall make a written report to the director of the bureau of preventable diseases of the department of health recommending the discharge of such person. The director of the bureau of preventable diseases shall thereupon order the discharge of such person from such hospital: *Provided, however,* If the medical officer in charge of a hospital wherein such person is detained does not recommend the discharge of any person in the manner hereinbefore provided, such detained person may make application to the director of the bureau of preventable diseases to be discharged. The said director shall thereupon make an investigation of the facts and circumstances surrounding the detention of such person and determine whether or not such person can be discharged without danger to the lives and health of other persons. If such director shall determine that such person is no longer likely to infect or be the source of infection to other persons, he shall direct the medical officer in charge to discharge such person from such hospital. If the said director, however, determines that such person, if released from such hospital, is likely to infect or be a source of infection of other persons, he shall deny the application and notify such detained person of his decision.

**Syphilis and Gonorrhea—Dispensaries—Conduct and Maintenance. (Reg. Bd. of H., June 28 and July 31, 1917.)**

SEC. 223. *Dispensaries; communicable disease; regulations.*—No public dispensary where communicable diseases are treated or diagnosed shall be conducted or maintained otherwise than in accordance with the regulations of the board of health.

**REGULATIONS GOVERNING THE CONDUCT AND MAINTENANCE OF DISPENSARIES WHEREIN HUMAN BEINGS AFFECTED WITH SYPHILIS OR GONORRHEA ARE TREATED OR CARED FOR, AND RELATING TO SECTION 223 OF THE SANITARY CODE.**

**A.**

**SYPHILIS.**

**REGULATION 1. *Treatment of syphilis; special department.***—The treatment of syphilis, whatever its manifestations, shall be conducted in a special department maintained for such purpose, or in the department for dermatology connected with the dispensary or hospital: *Provided, however,* When the nature of the part affected, such as the eye, throat, viscera, etc., necessitates treatment in some other department of the dispensary, treatment may be given jointly by the two departments.

**REG. 2. *Microscopical examination required.***—Every department for the treatment of syphilis shall make microscopical examinations of all suspected lesions.



REG. 3. *Wassermann tests.*—Laboratory facilities for making Wassermann tests should be provided in every dispensary. If such laboratory facilities are not so provided, provision shall be made for the prompt delivery of specimens to the department of health or other approved laboratories where such tests are made.

REG. 4. *Number of patients to be treated.*—The number of patients to be treated at a dispensary shall be regulated by the number of physicians in attendance and the equipment and facilities provided in the dispensary. The maximum number of patients treated by a physician shall not exceed 10 per hour.

REG. 5. *Salvarsan or its analogues to be administered.*—In view of the fact that the obligation to render a person affected with an infectious disease innocuous at the earliest possible moment rests on the institution to which the patient has applied for treatment, salvarsan or its analogues, in sufficient quantities and at proper intervals, shall be administered, with the addition of mercury or other accepted means of treatment, to all cases of syphilis.

REG. 6. *Records.*—A complete and adequate record shall be kept of every case of syphilis treated at a dispensary. Such records shall not be open to inspection by the public or to any person other than the representatives of the department of health of the city of New York, and such persons as may be authorized by law to inspect such records.

REG. 7. *Follow-up system.*—A follow-up system, approved by the department of health, to secure regular attendance by patients shall be established and maintained.

REG. 8. *Procedure governing the discharge of patients.*—A standard procedure governing the discharge of patients shall be followed. Such standard shall embrace suitable tests and subsequent persistent observations.

REG. 9. *Dispensaries to be open at least three days a week.*—Dispensaries shall be open at least three days a week.

## B.

### GONORRHEA.

REGULATION 1. *Microscopical examination required.*—Systematic microscopical examinations of all discharges shall be made in every department of a dispensary wherein persons affected with gonorrhea are treated or cared for.

REG. 2. *Facilities to be provided.*—Every department of a dispensary wherein persons affected with gonorrhea are treated or cared for shall be provided with and employ proper facilities for asepsis and antisepsis.

REG. 3. *Urethroscopic and cystoscopic work to be performed.*—Every dispensary shall be provided with facilities for urethroscopic and cystoscopic work, and such facilities shall be regularly employed by the physicians in attendance.

REG. 4. *Complement fixation test to be performed.*—Every such dispensary should be provided with facilities for making a complement fixation test for gonorrhea. If such facilities be not provided at the dispensary, proper provision shall be made for the prompt delivery of specimens to the department of health or other approved laboratories where such tests are made.

REG. 5. *Number of patients to be treated.*—The number of patients to be treated at a dispensary shall be regulated by the number of physicians in attendance and the equipment and facilities provided in the dispensary. The maximum number of patients treated by a physician shall not exceed 10 per hour.

REG. 6. *Records.*—A complete and adequate record shall be kept of every case of gonorrhea treated at the dispensary. Such records shall not be open to

inspection by the public or any person other than the representatives of the department of health of the city of New York, and such persons as may be authorized by law to inspect such records.

REG. 7. *Procedure governing the discharge of patient.*—A standard procedure governing the discharge of patients shall be followed. Such standard shall embrace suitable tests and subsequent persistent observations.

REG. 8. *Dispensaries to be open at least three days a week.*—Dispensaries shall be open at least three days a week.

### NIAGARA FALLS, N. Y.

**Venereal Diseases—Notification of Cases—Treatment—Conduct of and Precautions by Infected Persons—Prohibited Occupations—Isolation—Hospitalization—Duties of Physicians—Laboratory Examinations—Circular of Information and Instructions to Patients—Examination of Certain Persons.**  
(Reg. Bureau of Health, Aug. 2, 1918.)

REGULATION 1. It shall be the duty of every person who shall become infected with any infectious venereal disease to take a prescribed course of treatment by a duly licensed physician. Treatment by any other person, corporation, or individual is unlawful under section 343 *q.*, chapter 264, of the laws of 1918.

REG. 2. It shall be the duty of every physician who makes a diagnosis in or treats a case of syphilis, gonorrhea, or chancroid, and every superintendent or manager of any hospital, dispensary, charitable or penal institution in which there may be a case of venereal disease to report such case immediately in writing to the health officer, stating the name and address or the office number or other private designation of the case, reporting age, sex, color, marital relation, occupation of the person diseased, the date of onset of the disease and the probable source of infection: *Provided*, That the name and address of the diseased person shall not be stated except such diseased person commits some act or does something contrary to the laws of the State of New York or the rules and regulations promulgated for the control of venereal disease.

REG. 3. Every person residing in the city of Niagara Falls, who by examination as provided for in section 343 *m* or 343 *n*, chapter 264 of the laws of 1918, is found to be suffering from or infected with any infectious disease (venereal) shall submit to a prescribed course of treatment by a duly licensed physician approved by the health officer of said city and shall continue said treatment until such physician shall certify to the health officer in writing after a laboratory test made in accordance with the provisions of subdivisions *a*, *b*, *c* of this regulation that there is no further danger of transmitting the disease.

(*a*) Persons treated for syphilis shall be kept under continuous treatment until all lesions of the skin and mucous membrane are healed and until a negative Wasserman reaction has been obtained, or for a period of not less than one year.

(*b*) Men treated for gonorrhea shall be kept under treatment until smears from the urethra and the prostatic fluid fail to show the presence of gonococci on two consecutive occasions at not less than one week interval, the first smear to be taken at least one week after the last treatment.

(*c*) Women treated for gonorrhea shall be kept under treatment until smears from the cervix uteri, urethra, and Bartholins' glands fail to show the presence of gonococci on two consecutive occasions at not less than one week interval, the first smear to be taken at least one week after the last treatment.

REG. 4. It shall be the duty of the bureau of health of the city of Niagara Falls to promptly furnish free treatment for any person residing in said city who shall be found to be suffering from any infectious venereal disease and who shall make application to such health department for care and treatment on the ground that they are unable to pay for the same, such treatment to be continued without cost to the individual by said bureau of health if, upon investigation, it is found in fact that such person is unable to pay for said treatment.

REG. 5. It shall be unlawful for any person suffering with any infectious venereal disease to have sexual intercourse with any other person. Any person suffering with any infectious venereal disease shall so conduct themselves and their person that there shall be no danger of their giving such disease to any other persons; they shall destroy by fire all soiled cloths, cotton, or gauze after using and not permit any articles used by them in the treatment of their disease to be used by anyone else; and to destroy by fire all such articles when treatment is discontinued. Furthermore, no person affected with syphilis in the infective stage shall engage in the occupation of nurse, nursemaid, domestic servant, barber, hairdresser, chiropodist, manicurist, bath attendant, or masseur, or in any other occupation in which he may infect others with syphilis. No person affected with gonorrhea in the infective stage shall engage in any occupation which involves intimate contact with children.

REG. 6. It shall be the duty of any person suffering with any infectious venereal disease to provide themselves with separate toilet articles, particularly towels and washcloths, and no person suffering from syphilis or chancre shall permit anyone to use his or her towels, brushes, soap, razor, etc., or permit anyone to use pipes, pencils, or anything which may have come in contact with the mouth of said persons. Eating utensils used by a person suffering with such a disease must be sterilized by boiling for one-half hour before using or being used by any other person.

REG. 7. It shall be unlawful for any person suffering with a venereal disease to kiss another person.

REG. 8. Every person who by these rules and regulations, or by chapter 264 of the laws of 1918, shall be required to take treatment for an infectious venereal disease shall at all times obey the directions of such physician as they elect to have treat them. If said person fails to obey such directions or return to the physician at the appointed times, it shall be the duty of the physician to report such negligence to the health officer, whereupon said health officer shall communicate with the infected person at his or her last known address and direct him or her to report to his or her physician forthwith. In the event of the failure of the infected person to obey the direction of the health officer and forthwith present himself or herself to his or her physician for treatment it shall be the duty of the health officer to request the chief of police of the city to have such person brought before him. If after admonition by the health officer he or she shall still refuse to continue such treatment, it shall be the duty of the health officer either to cause the isolation and treatment of said person at the municipal hospital of the city of Niagara Falls, or at such other hospital as he may designate, until in the opinion of the health officer there is no further danger of the transmission of the disease, or cause his or her arrest and punishment in accordance with section 343 s of chapter 264 of the laws of 1918. If any person affected with syphilis, gonorrhea, or chaneroid shall violate any regulation of the sanitary code of the State of New York by which the public is safeguarded against these diseases, or any provision of the public health law relating to the so-called venereal diseases, through which violation, in the judgment of a physician attending him, said person becomes a menace to the public health,

such physician shall immediately report the name and address of such person to the health officer, who shall at once forward a copy of the report to the bureau of venereal disease of the State department of health, and take such steps as will assist in his care and prevent said person from continuing a menace to the public health.

REG. 9. It shall be the duty of every physician or other person required to perform any duty or refrain from any act under article 17 *b* of the public health law as added to by chapter 264, laws of 1918, providing for the regulation of syphilis, gonorrhea, and chancroid (venereal diseases), to take all steps incumbent on him and necessary to carry into effect the provisions of said law.

REG. 10. If, in the opinion of the health officer, any case of infectious venereal disease is of such character that it can only be treated with safety to others at a hospital, it shall be the duty of said person to attend such hospital as may be designated by the health officer and receive such treatment until such time as in the opinion of the health officer he or she may be safely discharged.

REG. 11. It shall be the duty of every physician to submit promptly to the laboratory of the State department of health or to a laboratory approved by the commissioner of health for this purpose such specimens for laboratory examinations and such data relating thereto as may be prescribed in the special rules and regulations issued by the State commissioner of health from every person affected with any one of the communicable diseases mentioned in chapter 11 regulation 1 *b* of the sanitary code of the State of New York, or from any person in whom suspicion of such disease exists.

REG. 12. It shall be the duty of every physician when first attending a person affected with syphilis, gonorrhea, or chanroid, to instruct said person in the precautions to be taken in order to avoid the communication of the disease to others, and to inform him or her of the necessity of continuing treatment until cured, and further to hand to him a circular of information and advice issued or approved by the State department of health.

REG. 13. The results of the examination of persons as provided for in sections 343*m* and [343] *n* of the public health law as added to by chapter 264, laws of 1918, shall be reported on a form prescribed by the State department of health and shall include the following: An examination of the skin and its appendages, lymph nodes, mucous membrane of the mouth and throat; genitals and the results of the following laboratory examinations: Wasserman reactions, smears from the urethra and prostatic fluid in the male and from the urethra, Bartholins' glands, and cervix uteri in the female.

REG. 14. *Penalty.*—Any person violating any of these rules and regulations is guilty of a misdemeanor. Section 343*s*, chapter 264 of the laws of 1918.

#### PHILADELPHIA, PA.

**Venereal Diseases—Notification of Cases—Circular of Information and Instructions to Be Given Patient—Quarantine—Hospitalization.** (Res. Bd. of H., Nov. 16, 1917, and July 10, 1918.)

*Resolved:* SECTION 1. That on and after January 1, 1918, every physician in the city of Philadelphia shall forthwith report in writing to the bureau of health on serially numbered printed forms furnished by said bureau the age, sex, color, nativity, marital state, and occupation, together with the stage of the disease, the character and location of the lesions, the laboratory findings, if obtained, the date and source of infection, and degree of infectiousness of every person under his or her care for gonorrhea, chancroid, or syphilis: *Provided,* That if such person applies for treatment at or is a patient in a



public institution or dispensary, then the name and address of such person shall also be reported. All reports made in accordance with section 1 of this resolution and all clinical and laboratory records showing the presence of gonorrhea, chancroid, or syphilis shall be confidential and not open to public inspection or be inspected by any person other than the official custodian of such reports in the bureau of health, the director of the department of public health and charities, and such other persons as may be authorized by law to inspect such reports or records, nor shall the custodian of such report or record, the said director, or any other person, divulge any part of any such report or record, so as to disclose the identity of the person to whom it relates.

SEC. 2. It shall be the duty of the physician in attendance on a person afflicted with a venereal disease to furnish such person at the time of the first visit or consultation the serial numbered card of instructions attached to physician's report card of same serial number, a separate printed circular of advice and information concerning venereal diseases furnished by the department of health, and to verbally instruct such person in precautionary measures intended to prevent the transmission of the disease to others.

SEC. 3. Whenever a person suffering from a venereal disease applies to a physician for advice or treatment, it shall be the duty of the physician to inquire of the person in question whether or not such person has previously consulted with or been treated by another physician and has received a serial number of identification; if so, to secure the name and address of the physician last previously consulted and the said serial number; if not, to report the case in the regular way as provided for in sections Nos. 1 and 2.

It shall be the duty of the physician consulted, where the applicant has previously been officially reported, treated, and given a serial number of identification by another physician during the present course of the disease, not to report the applicant to the bureau of health as a new case on a serially numbered report card, but to immediately notify by mail both the physician last previously consulted and the bureau of health of the change in medical advisers; such notification to be made in writing upon printed forms furnished for this purpose by the bureau of health. This interchange of notification is not deemed necessary where the applicant is in the noninfective stage of syphilis.

SEC. 4. When any person suffering from a venereal disease in an infective stage fails to return to the physician treating such person for a period of 10 days later than the time last appointed by the physician for such treatment or consultation, and the physician also fails to receive notification of change of medical advisers as provided for in previous section, the physician shall then report to the bureau of health on a printed form furnished for this purpose, the name and address of such person, the serial number of identification as originally reported, and the name of the disease.

SEC. 5. When a physician in Philadelphia shall report in writing to the bureau of health that a person afflicted with gonorrhea, chancroid, or syphilis, whom he has treated or examined after January 1, 1918, can not be properly and sufficiently attended at home, or that such person is conducting himself or herself in a manner detrimental to the public health, then the bureau of health shall take charge of such reported person and shall quarantine or remove to a hospital the afflicted person, who shall be quarantined until duly discharged by a permit in writing from the bureau of health. All reports and records made under section 5 of this resolution may be disclosed by the director of the department of public health and charities at his discretion.

SEC. 6. Any person who violates, neglects, or refuses to comply with the provisions of this resolution shall be considered guilty of a misdemeanor and subject to a fine not exceeding \$50.

TOPEKA, KANS.

**Venereal Diseases—Notification of Cases—Circular of Instructions and Copy of Ordinance to Be Given Patient—Protective Measures by Health Officer—Reports to Be Confidential—Examination of Persons Suspected of Being Infected—Isolation—Quarantine—Treatment—Repression of Prostitution—Issuance of Certificates of Freedom from Venereal Disease—Detention Hospital—Bond or Cash Guaranty in Lieu of Isolation or Quarantine—Unlawful for Infected Persons to Expose Others to Infection—Records to Be Kept by Druggists. (Ord. 4832, Sept. 12, 1918.)**

SECTION 1. *Venereal diseases dangerous to public health.*—Syphilis, gonococcus infection, and chancroid, hereinafter designated venereal diseases, are hereby recognized and declared to be contagious and infectious, communicable and dangerous to the public health.

SEC. 2. *Venereal diseases to be reported.*—Hereafter each and every physician or other practitioner of the healing art practicing in the city of Topeka, or any superintendent or manager of a hospital or dispensary, or any other person who treats or examines any person suffering from or afflicted with a venereal disease in any of its stages or manifestations, shall report to the city health officer the existence of such disease.

All such reports shall be made in writing within 48 hours after diagnosis, on blank forms approved by the State board of health and obtainable from the city health officer, and shall give the number of the case, which number shall correspond with the serial number of the circular of instructions given to the patient; the name and address of the patient, as hereinafter required; the type and stage of such disease; the color, the sex, the marital state, and the occupation of the person affected with the disease, and a statement as to whether or not the nature of the occupation or place of employment of the person afflicted with such disease makes him or her a menace to the health of any other person or persons: *Provided*, That whenever the person making the report will assume full responsibility for such conduct of the person afflicted with venereal disease as will prevent the transmission of same to others, nothing in this paragraph shall be construed to require the reporting of the name and address of the person afflicted with a venereal disease. In the event that the person making the report is unwilling to assume such responsibility or shall know or suspect that a person having a venereal disease is so conducting, or about to conduct himself or herself in such manner as to expose other persons to such infection, he shall then report the name and address of such afflicted person, together with such other essential facts as may be required by the city health officer.

SEC. 3. *Persons afflicted with venereal disease to be given a circular of information.*—It shall be the duty of each and every physician or other practitioner of the healing art practicing in the city of Topeka, or any other person who visits, attends, advises professionally, prescribes for or renders medical or surgical assistance to, or is consulted for medical advice by any person having a venereal disease, to at once give to such person a copy of this ordinance, together with a serially numbered circular of instructions, obtainable from the city health officer and approved by the State board of health, entitled "Instructions for preventing the transmission of gonorrhea (or syphilis)" and to report such fact in writing in the report required to be made of such cases.

SEC. 4. *Change of physician to be reported to physician first consulted.*—When a person applies to a physician or other person for treatment of a venereal disease, it shall be the duty of the physician or person consulted to inquire

of and ascertain from the person seeking treatment whether such person has heretofore consulted with or been treated by any other physician or person, and if so, to ascertain the name and address of the physician or person last consulted. It shall be the duty of the applicant for treatment to furnish this information, and a refusal to do so, or falsely stating the name and address of such physician or person consulted, shall be deemed a violation of this ordinance. It shall be the duty of the physician whom the applicant seeks and does consult or employ to notify the physician last consulted or employed of the change of advisers, such notification to be made upon a form furnished for that purpose by the city health officer. Should the physician or person previously consulted fail to receive such notice within 10 days after the last appearance of such venereally diseased person, it shall be the duty of such physician to report to the city health officer the name and address of such venereally diseased person.

SEC. 5. *Protection of others from infection by venereally diseased person.*—Upon receipt of a report of a case of venereal disease it shall be the duty of the city health officer to institute such measures for the protection of other persons from infection of such venereally diseased person as said city health officer is already empowered to use to prevent the spread of other contagious, infectious, or communicable disease.

SEC. 6. *Reports to be confidential.*—All information and reports concerning persons infected with venereal diseases shall be confidential and shall be inaccessible to the public except in so far as publicity may attend the performance of the duty imposed upon the city health officer by this ordinance and the rules of the State board of health and laws of the State of Kansas.

SEC. 7. *Suspected cases to be investigated.*—In all suspected cases of venereal diseases in the infectious stages, the city health officer shall immediately use every available means to determine whether the person or persons so suspected of being infected are suffering from said disease, or any of them, and whenever said diseases are found to exist, the city health officer, whenever possible, [shall] ascertain the sources of infection. In such investigation, the city health officer is hereby vested with full powers of inspection, examination, isolation, and disinfection of all persons, places, and things as provided herein.

SEC. 8. *Powers and duties of city health officer.*—It is hereby made the duty of the city health officer, and he is hereby directed and empowered: (a) To make examinations of persons reasonably suspected of having syphilis in the infectious stages, or gonococcus infection. Owing to the prevalence of such diseases among prostitutes, all prostitutes may be considered within the above class. (b) To isolate persons infected with any of said diseases whenever isolation is necessary to protect the public health. In establishing isolation the city health officer shall define the limits of the area in which the persons reasonably suspected or known to have syphilis or gonococcus infection, and his or her immediate attendant, are to be isolated, and no person other than the attending physician shall enter or leave the area of isolation without the permission of the city health officer. (c) In making examinations and inspections of women for the purpose of ascertaining the existence of syphilis or gonococcus infection, to appoint women physicians for said purpose where the services of a woman physician are requested or demanded by the person examined. (d) In cases of quarantine or isolation, not to terminate said quarantine or isolation until the cases have become noninfectious. (e) Cases of gonococcus infection are to be regarded as infectious until at least two successive smears taken not less than 48 hours apart fail to show gonococci. (f) Inasmuch as prostitution is the most prolific source of syphilis and gonococcus infection, the city health

officer shall use every proper means of suppressing the same, and he is hereby prohibited from issuing certificates or other evidence of freedom from venereal diseases. (g) To keep all records of said inspection and examination from public inspection, and to make every reasonable effort to keep secret the identity of those affected by venereal disease control measures as far as may be consistent with the protection of the public health.

SEC. 9. *Detention hospital.*—It shall be the duty of the city health officer to use only such building or buildings for quarantine purpose under this ordinance as shall first be provided or accepted by the board of commissioners: *Provided, however,* That the State industrial farm for women at Leavenworth may be used for such quarantine purpose.

SEC. 10. *Quarantine.*—Whenever it is necessary for the protection of the public health that persons infected with venereal disease be quarantined, the city health officer shall quarantine such diseased person in said detention hospitals or at said industrial farm, and cause to be administered to such persons a proper course of treatment.

SEC. 11. *Bond or cash guaranty in lieu of quarantine.*—In lieu of isolation or quarantine any person infected with any of said diseases may be released upon bond as herein provided. Such person shall make written application therefor to the city health officer which application must be made under oath and must state that the applicant is not a prostitute. Such application shall be accompanied by a certificate signed by the chief of police and the police judge that the applicant is not a prostitute. The applicant shall then file with the city treasurer a bond in the penal sum of \$1,000, conditioned that the applicant will not permit or perform any act which might or would infect or expose to infection any other person, will continue proper medical treatment until cured, and will faithfully observe all rules, regulations, and requirements of said city health officer to protect the public against infection or contagion. Said bond shall run to the State of Kansas and shall have one or more sureties, to be approved by the city attorney: *Provided,* That a cash guaranty in a like amount may be accepted in lieu of such undertaking. Before any person is released from any such bond as cured, a final examination and approval by the city health officer must be secured.

SEC. 12. *Spread of venereal diseases unlawful.*—It shall be unlawful for any person to inoculate any other person with any of the venereal diseases named in section 1 hereof, and it shall be unlawful for any person to perform or commit any act which exposes any other person to inoculation of or infection with any of the said diseases.

SEC. 13. *Druggist to keep record of sales of drugs for venereal diseases.*—Any druggist or other person who sells any drug, compound, specific, or preparation of any kind to be used for the cure of any of said venereal diseases shall keep a record of the name, address, and sex of the person making such purchase. A copy of said record shall be mailed each week to the city health officer.

SEC. 14. *Obstructing city health officer.*—It shall be unlawful for any person to obstruct said city health officer in the performance of his duties herein required.

SEC. 15. *Violations.*—Any person violating any of the provisions of this ordinance shall be punished by a fine not less than \$10 nor more than \$500 or by imprisonment for a period not to exceed six months, or by both fine and imprisonment.



**Venereal Diseases and Sexual Ailments—Advertisements Concerning, Prohibited. (Ord. 4914, Oct. 28, 1919.)**

SECTION 1. No person shall publish or cause to be published any advertisement intended to imply or to be understood that he will restore manly vigor, treat or cure lost manhood, lost power, stricture, gonorrhea, chronic discharges, gleet, varicocele, chancroid, syphilis, or private diseases, nor shall any person advertise any medicine, medicinal preparation, remedy, or prescription for any of the ailments or diseases above enumerated. Any owner or managing officer of any newspaper in whose paper shall be printed or published any such advertisement as above described shall be guilty of violation of this ordinance.

SEC. 2. No person shall post, stick, or affix in any way on any surface in the city of Topeka, any sign, sticker, or poster containing any such advertisement, nor shall any person pass out or distribute any handbill, circular, card, or object containing any such advertisement or intended to advertise a cure or remedy for any such disease or ailment listed above.

SEC. 3. No person shall permit or allow any advertisement of the character above described to be posted or affixed in any manner upon any property owned or controlled by him, nor display any advertisement or object of any kind whatsoever intended to advertise a cure or remedy or preparation intended for use in treatment for any disease or ailment above listed.

SEC. 4. The word "person" as used herein shall mean and include natural persons, copartnerships, corporations, and associations, and shall include persons of both sexes.

SEC. 5. Any person violating any of the provisions of this ordinance shall be deemed guilty of misdemeanor, and upon conviction thereof, fined in any sum not less than \$25 and not more than \$100 for each offense.

## **WATER SUPPLIES AND ICE.<sup>1</sup>**

### **BERKELEY, CALIF.**

#### **Bottled Water—Sale—Sanitary Requirements. (Ord. 502, N. S., Jan. 23, 1917.)**

SECTION 1. For the purpose of this ordinance the word "person" is defined as including a firm or corporation as well as a natural person; the words "bottled water" are defined as meaning any water for drinking purposes in bottles or other containers, excepting water which has been artificially carbonated and water containing sufficient inorganic salts to give it special properties as mineral water.

SEC. 2. No bottled water shall be sold or delivered for sale or consumption in the city of Berkeley which has been treated with any chemical disinfectant whatsoever, or which is supplied from a well spring, river, lake, or other reservoir which is contaminated with sewage or other substance detrimental to the health or which is likely to become so contaminated unless such water is distilled before being bottled. The standard of purity of all bottled water sold or delivered for sale or consumption in the corporate limits of the city of Berkeley shall be that required by the United States Health Service and adopted by the Treasury Department for drinking water on common carriers in interstate commerce.

SEC. 3. No person shall sell or deliver for sale or consumption within the city of Berkeley any bottled water without first having obtained a permit in accordance with the provisions of this ordinance.

SEC. 4. Any person desiring a permit to sell or deliver for sale or consumption any bottled water in the city of Berkeley, shall first make application therefor to the health department to the city of Berkeley, upon an application blank provided by the said department for that purpose. Such application shall state the trade name and business address of the applicant, and if the applicant is a corporation the names and places of residence of the officers of said corporation, and if the applicant is a firm or partnership the names and places of residence of its members, the exact location of the place from which the water is to be obtained, the nature of the water to be supplied, whether distilled or to be obtained from a well, spring, river, lake, or other reservoir; the purifying processes to which the water is to be subjected before filling the bottles or other containers in which said water is to be delivered; and the equipment of the applicant for preparing for delivery and for delivering said water in the city of Berkeley. This application shall be signed by the applicant and shall be filed in the office of the health department.

SEC. 5. Upon receipt of an application as provided in section 4 of this ordinance it shall be the duty of the health officer to cause an inspection to be made of the location of the water supply and the equipment for preparing for delivery and for delivering said water in the city of Berkeley. He shall also cause a bacteriological examination of the bottled water to be made and shall cause a report of such inspection and bacteriological examination to be filed in the office of the health department.

<sup>1</sup> See also Nuisances, p. 387.

SEC. 6. The health officer shall issue a permit in writing to each applicant whose source of supply, equipment, and bottled water shall conform to the requirements provided in section 2 of this ordinance, such permit to remain valid for one year unless revoked for failure to conform to the requirements provided in section 2 of this ordinance.

SEC. 7. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed \$150 or by imprisonment not to exceed 30 days, or by both such fine and imprisonment.

#### COLUMBUS, GA.

##### **Drinking Water—Use of Wells or Open Cisterns Prohibited When Connections Can Be Made With Public Water Supply. (Ord. Nov. 11, 1918.)**

SECTION 1. That on and after the 1st day of January, 1919, it shall be unlawful for any person, firm, or corporation owning or renting any residence or building, to have, keep, use, or maintain on the premises where same is located any well or open cistern which is used or can be used for the purpose of supplying drinking water to the occupants of said residence or building or to others, which said premises abut upon a street wherein is located pipes and mains for a public water supply, which can, by proper connection, be made available to supply said residence or building with water for drinking purposes.

SEC. 2. Any person violating the provisions of this ordinance, upon conviction in the recorder's court, shall be fined not more than \$100 or be punished by labor upon the public works of the city not more than 60 days, either or both, in the discretion of the recorder.

#### LOUISVILLE, KY.

##### **City Water Supply—Connections with, Required When Premises Abut. (Ord. Oct. 6, 1917.)**

SECTION 1. Every dwelling, business, establishment, or other place within the city of Louisville, in which people live or transact business, and wherever the city water supply abuts the property, shall have city water piped into the premises at the expense of the owner, occupant, or agent, in order that a safe supply of drinking water may be constantly available.

SEC. 2. Any person or persons violating or assisting in the violation of this ordinance shall, upon conviction, be fined not less than \$5 or more than \$50, and each day's continuance shall constitute a separate offense.

##### **Water Supplies—Chemical and Bacteriological Tests—Use Prohibited When Polluted. (Ord. Oct. 6, 1917.)**

SECTION 1. The city chemist shall make examinations of samples of water obtained from public or private wells, cisterns, springs, or other sources of supply, whenever such water is used for human consumption.

SEC. 2. Upon receipt of information from the city chemist and bacteriologist, after the application of standard chemical and bacteriological tests to the samples named in section 1 that such samples show evidence of organic pollution or contamination, and that such pollution and contamination is detrimental to human health, the board of public works, upon notice from the health department, shall at once close, fill, or otherwise prevent the further use of the water from such water sources: *Provided*, That before any private

well or any other private source of water supply is condemned, a hearing shall be held in the police court.

SEC. 3. It shall be unlawful for anyone to use or attempt to use the water from a well, cistern, spring, or other water source for human consumption after said water source has been condemned by the health department.

SEC. 4. Any person or persons violating or assisting in the violation of any part or parts of this ordinance shall, upon conviction, be fined not less than \$5 and not more than \$20.

#### MICHIGAN CITY, IND.

##### Ice—Cutting, Manufacture, Sale, and Distribution. (Ord. Mar. 28, 1918.)

SECTION 1. That all ice offered for sale or distribution within the city of Michigan City, Ind., shall be free from the colon bacillus, as demonstrated according to the standard methods of water analysis.

SEC. 2. That a permit, in writing, shall be first obtained from the department of health, of said city, for the harvesting or cutting of ice to be sold or distributed within the corporate limits of the city of Michigan City, Ind. The water from which said ice is to be cut or harvested shall be, by the department of health, tested and found free from colon bacillus before said permit shall be granted.

SEC. 3. That all plants engaged in the manufacture of ice shall be under the strict supervision of the department of health; the water used in the manufacturing of such ice must be free from colon bacillus.

SEC. 4. That all vehicles used for the transportation and distribution of ice shall be kept clean and used for no other purpose.

SEC. 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall upon conviction be fined in any sum not less than \$25 nor more than \$100.

#### MILWAUKEE, WIS.

##### Water—Sale—Sanitary Regulation—Physical Examination of Employees. (Ord. 72, June 4, 1917.)

SECTION 1. There are added to the Milwaukee Code of 1914 nine new sections to be numbered and to read as follows:

SEC. 821.1. No dealer in water who sells at places other than on his own premises shall sell or offer for sale in the city of Milwaukee any water intended for use as a human beverage, or likely to be so used, without having first obtained a license as hereinafter required: *Provided*, That no such license shall be required of any person, firm, or corporation who sells any water purchased from any person, firm, or corporation licensed under this ordinance in the original containers in which such water is purchased from such licensed dealers.

SEC. 821.2. The fee for the license required by section 821.1 shall be \$1 and shall be paid to the city treasurer, who shall issue a receipt therefor. All such licenses shall expire on the 1st day of May following the date of their issue. The commissioner of health shall issue such license to any applicant upon presentation of treasurer's receipt for the required fee, provided the applicant shall comply with the provisions of section 821.3 of this code.

SEC. 821.3. Application for the license required by section 821.1 shall be made in writing to the commissioner of health upon blanks which shall be furnished by the city, and shall contain such information as the commissioner of health shall deem necessary to enable him to properly pass upon the application. Each application shall also be accompanied by the original or a certified copy of a certificate of analysis of the water intended to be sold by the applicant, when



such water has not been analyzed by the department of health, both chemical and bacteriological, or made in a laboratory or by a competent chemist or bacteriologist approved by the commissioner of health. Such certificate of analysis shall show the date upon which the water was analyzed, and shall show a sanitary water examination made in accordance with the standard methods of water analysis of the American Public Health Association, and shall show a bacteriological examination made according to the standards of the American Public Health Service adopted by the Treasury Department of the United States Government on October 21, 1914.

SEC. 821.4. All bottles and other containers in which water is sold or offered for sale in the city of Milwaukee shall be closed by a crown seal bearing the name or imprint of the manufacturer or bottler, or the outlet of such container shall be sealed with a seal bearing the name and address of the manufacturer or bottler in such a manner that the contents of the container can not be removed except by breaking the seal, or the outlet of such container shall be closed in some other sanitary manner approved by the commissioner of health.

SEC. 821.5. All bottles and other containers in which water is sold or offered for sale in the city of Milwaukee shall be kept clean and shall be thoroughly sterilized before they are filled or refilled by a method approved by the commissioner of health.

SEC. 821.6. All buildings, structures, and all piping; utensils, wagons, and places or things used for or in connection with the handling, bottling, or transporting of any water sold or offered for sale in the city of Milwaukee shall be maintained in a clean and sanitary condition.

SEC. 821.7. All persons employed in the handling, bottling, or transporting of water sold or offered for sale in the city of Milwaukee shall be in a proper state of personal cleanliness, shall wear clean clothing, and shall be free from communicable disease as established by a physical examination conducted under the direction of the commissioner of health: *Provided, however,* That the commissioner of health may, in his discretion, accept the certified statement of freedom from such diseases made by any licensed physician of good repute.

SEC. 821.8. The commissioner of health is hereby authorized to revoke any license issued pursuant to the provisions of the foregoing sections 821.1 to 821.3 for violation of any of the provisions of sections 821.1 to 821.7.

SEC. 821.9. Any person, firm, or corporation who shall violate any of the provisions of sections 821.1 to 821.7, inclusive, shall be subject to a penalty of not less than \$10 nor more than \$50, together with the costs of prosecution, for the first offense, and for the second and each subsequent offense shall be subject to a penalty of not less than \$50 nor more than \$100, together with the costs of prosecution, and in default of payment of such penalty and costs shall be imprisoned in the county jail or house of correction for Milwaukee County for a period of not less than 5 days nor more than 90 days, or until such penalty and costs shall be paid.

#### RICHMOND, VA.

##### **Wells and Springs—Prevention of Surface Contamination. (Reg. Administrative Bd., Sept. 7, 1917.)**

On and after the 1st day of October, 1917, no well or spring within the city of Richmond shall be used for drinking purposes, unless said well or spring is provided with a water-tight top and pump, dipping device, or other arrangement which will prevent surface contamination in a manner satisfactory to the health department.

# INDEX.

## A.

Addicts. ( <i>See</i> Drug addicts.)	
Advertisements. ( <i>See</i> Medical literature and advertisements; Sexual ailments; Venereal diseases.)	
Advisory board—Department of public health—Syracuse, N. Y.	217
Air conditions control—Division of—Establishment, duties, officers, and employees—Chicago, Ill.	373
Alameda, Calif.—	
Communicable diseases—Notification of cases	62
Garbage and rubbish	188
Albany, N. Y.—Programs, circulars, etc.—Distribution in halls and theaters	373
Allentown, Pa.—	
Diphtheria	63
Eating and drinking places	150
Alton, Ill.—Sewer connections	134
Altoona, Pa.—Health officer—Qualifications, duties, and salary	201
Amusement places. ( <i>See</i> Public places of amusement; Theaters.)	
Anaconda, Mont.—Sewer connections	134
Animals—	
Communicable diseases—Little Rock, Ark	17
Control in communicable disease cases—Portland, Me	115
Dogs—	
Muzzling, confinement, or quarantine to prevent rabies—Dayton, Ohio	75
Muzzling to prevent rabies—Beaumont, Tex	67
Nuisances by—New York, N. Y.	21
Prohibited in stores and other food places—Chicago, Ill.	162
Hogs—Keeping—Kansas City, Kans.	16
Horses—Glanders—	
Examination and test for—New York, N. Y.	20
Test required—New York, N. Y.	20
Nuisances by—New York, N. Y.	21
Sale—Certain rooms not to be used—New York, N. Y.	21
Swine—	
Feeding garbage and offal to—Los Angeles, Calif.	17
Keeping—	
Birmingham, Ala	16
Los Angeles, Calif.	17
Antitoxin. ( <i>See</i> Diphtheria.)	
Ashes—	
Collection and disposal—Louisville, Ky	194
Depositing on private property or vacant grounds—Chicago, Ill.	192
Receptacles—Louisville, Ky	194
Austin, Tex.—Food establishments	150

## B.

Bakersfield, Calif.—	
Communicable diseases	65
Garbage—Keeping, collection, and disposal	191
Ice cream, ices, etc.—Sale from vehicles	240
Pupils with pediculosis—Exclusion	65
Tuberculosis—Records to be secret	65
Baltimore, Md.—Milk and milk products	308

<b>Barber shops—</b>	
(See also Barbers.)	
Employees—Health certificates—	Page.
Jacksonville, Fla.....	22
Little Rock, Ark.....	23
<b>Sanitary regulation—</b>	
Jacksonville, Fla.....	22
Little Rock, Ark.....	23
Los Angeles, Calif.....	23
Port Chester, N. Y.....	30
Portland, Me.....	31
<b>Barbers—</b>	
(See also Barber shops.)	
Licensing and physical examination—Los Angeles, Calif.....	23
<b>Regulation—</b>	
Port Chester, N. Y.....	30
Portland, Me.....	31
<b>Bathing establishments—</b>	
(See also Public baths.)	
Permits required—New York, N. Y.....	26
Regulation—New York, N. Y.....	26
Beaumont, Tex.—Rabies—Prevention.....	67
<b>Beauty parlors—</b>	
Employees—Health certificates—Jacksonville, Fla.....	22
Sanitary regulation—Jacksonville, Fla.....	22
Bedding, rugs, etc.—Beating—Regulation—Milwaukee, Wis.....	376
Bells—When prohibited—New York, N. Y.....	377
<b>Berkeley, Calif.—</b>	
Bottled water—Sale—Sanitary requirements.....	423
<b>Influenza—</b>	
Notification of cases.....	68
Wearing of gauze masks.....	68
Nuisances—Defined—Abatement.....	387
<b>Berries—</b>	
(See also Foodstuffs.)	
Protection—Louisville, Ky.....	176
Biological tanks—Installation—Youngstown, Ohio.....	148
Birds—Sale—Certain rooms not to be used—New York, N. Y.....	21
<b>Birmingham, Ala.—</b>	
Birth and death certificates—Obtaining data for.....	33
Diphtheria antitoxin—Reporting of sales.....	69
Midwifery—Practice—Permits required.....	298
Sewer connections.....	135
Smallpox vaccination—Pupils.....	69
Swine—Keeping.....	16
Venereal diseases.....	399, 401
Water-closets and sinks.....	135
<b>Births—</b>	
Certificates—Data to be obtained by hospitals, etc.—Birmingham, Ala.....	33
Copy of registry—Filing—New York, N. Y.....	38
<b>Registration—</b>	
New Orleans, La.....	34
New York, N. Y.....	37
<b>Reporting—</b>	
New Orleans, La.....	34
Wheeling, W. Va.....	38
Reports—Sacramento, Calif.....	211
Board—Advisory—Department of public health—Syracuse, N. Y.....	217
<b>Board of health—</b>	
(See also Board of health control; Bureau of health; Department of health; Department of public health; Department of public health and sanitation; Division of health.)	
Employees—Pensions—Cambridge, Mass.....	201
How constituted—New York, N. Y.....	209
Officers—Posing as or obstructing—Portland, Me.....	210

Board of health control— (See also Board of health; Bureau of health; Department of health; Department of public health; Department of public health and sanitation; Division of health.)	Page.
Appointment, powers, and duties—Columbus, Ga.....	202
Boone, Iowa—	
Influenza—	
Notification of cases.....	70
Preventive measures.....	70
Pneumonia—Notification of cases.....	70
Boston, Mass.—	
Eating and drinking utensils—Sterilization.....	156
Eggs—Denaturing.....	156
Hospitals—Construction and maintenance.....	226
Influenza—Burial.....	71
Bottled water—Sale—Sanitary requirements—Berkeley, Calif.....	423
Bridgeport, Conn.—	
Diseased or unclean pupils—Treatment.....	71
Restaurants—Sanitary regulation.....	157
Bridgeton, N. J.—Eating places.....	158
Brookline, Mass.—Food or food utensils—Handling by tuberculous persons.....	71
Buffalo, N. Y.—	
Communicable diseases.....	71
Milk and cream—	
Grades.....	318
Pasteurization.....	318
Milk and milk products—Sale.....	318
Smallpox—Vaccination may be required.....	72
Buildings— (See also Business establishments; Dwellings; Ventilation.)	
Heating—Portland, Oreg.....	59
Nuisances prohibited—New York, N. Y.....	58
Bureau of health— (See also Board of health; Board of health control; Department of health; Department of public health; Department of public health and sanitation; Division of health.)	
Establishment—Wilkes-Barre, Pa.....	221
Officers and employees—Powers and duties—Wilkes-Barre, Pa.....	221
Burial— (See also Communicable diseases; Dead bodies; Disinterments; Embalming; Interments.)	
Fall River, Mass.....	33
Influenza—Boston, Mass.....	71
Vaults—Temporary use—New York, N. Y.....	36
Wheeling, W. Va.....	38
Business establishments— (See also Buildings.)	
Heating—New York, N. Y.....	59
<b>C.</b>	
Cambridge, Mass.—	
Board of health employees—Pensions.....	201
Commissioner of health—Appointment, duties, and compensation.....	201
Mosquitoes—Prevention of breeding.....	255
Camden, N. J.—	
Medical literature and advertisements—Free distribution.....	390
Patent medicines—Free distribution.....	390
Camps—Sanitary regulation—Port Chester, N. Y.....	382
Canneries, fish—Sanitary regulation—Los Angeles, Calif.....	175
Carriers—	
Communicable diseases—	
Buffalo, N. Y.....	71
Port Chester, N. Y.....	104
Diphtheria—Allentown, Pa.....	63
Cesspools— (See also Excreta, human; Privies; Sewer connections; Water-closets.)	
Permits required—Louisville, Ky.....	144
When prohibited—Louisville, Ky.....	144



Chancroid. ( <i>See</i> Communicable diseases; Venereal diseases.)	
Chicago, Ill.—	Page.
Day nurseries .....	235
Division of air conditions control .....	373
Food poisoning or infection—Notification of cases .....	73
Homes .....	231
Hospitals .....	227
Meat food products establishments .....	260
Refuse, manure, ashes, etc.—Depositing .....	192
Smoke nuisance—Prevention .....	373
Stores and other food places—Dogs prohibited .....	162
Children—	
( <i>See also</i> Day nurseries; Homes; Hospitals.)	
Boarded and cared for—Register to be kept—New York, N. Y. ....	239
Having parasitic troubles—Restriction—Minneapolis, Minn. ....	89
Required to be free from head lice—Marquette, Mich. ....	376
Chiroprodists—Regulation—Port Chester, N. Y. ....	30
Cigar cutters. ( <i>See</i> Common cigar cutters.)	
Cincinnati, Ohio—Communicable diseases—Attendance at schools and gatherings ..	73
Circulars—Distribution in halls and theaters—Albany, N. Y. ....	373
Cisterns, open. ( <i>See</i> Water.)	
City health physician. ( <i>See</i> Health officer.)	
City physician—Treatment of tuberculosis cases by—Topeka, Kans. ....	124
Cleaning. ( <i>See</i> Communicable diseases; Tuberculosis.)	
Code, sanitary—	
Syracuse, N. Y. ....	217
Violation—Punishment—New York, N. Y. ....	377
Cold storage. ( <i>See</i> Foodstuffs.)	
Colorado Springs, Colo.—Communicable diseases—Quarantine period .....	74
Columbus, Ga.—	
Board of health control—Appointment, powers, and duties .....	202
Drinking water—Use of wells or open cisterns .....	424
Privies—Construction, maintenance, and cleaning .....	135
Sewer connections .....	135
Columbus, Ohio—Influenza—Preventive measures .....	74
Commissioner of health. ( <i>See</i> Health officer.)	
Common carriers—	
Placarding by, regarding communicable diseases—Port Chester, N. Y. ....	104
Transportation of dead bodies by—Port Chester, N. Y. ....	38
Common cigar cutters—Prohibited—	
San Francisco, Calif. ....	384
Springfield, Mass. ....	385
Common drinking cups—Prohibited in public places—	
Louisville, Ky. ....	61
Port Chester, N. Y. ....	61
Common eating and drinking utensils—Prohibited in public places—Chester, N. Y. ..	61
Common towels—Prohibited in public places—	
Louisville, Ky. ....	61
Port Chester, N. Y. ....	61
Communicable diseases—	
( <i>See also</i> Coryza; Diphtheria; Influenza; Measles; Pellagra; Pneumonia; Polomyelitis; Puerperal septicemia; Rabies; Smallpox; Suppurative con- junctivitis; Tuberculosis; Typhoid fever; Venereal diseases; Whooping cough.)	
Attendance at gatherings—	
Port Chester, N. Y. ....	104
Sacramento, Calif. ....	118
Attendance at public gatherings—	
Cincinnati, Ohio. ....	73
Portland, Me. ....	115
Burial—Port Chester, N. Y. ....	104
Care and treatment of patient—New York, N. Y. ....	93
Carriers—	
Buffalo, N. Y. ....	71
Port Chester, N. Y. ....	104
Circulars of information—Distribution—Port Chester, N. Y. ....	104

## Communicable diseases—Continued.

	Page.
Cleaning—	
Bakersfield, Calif .....	65
New York, N. Y .....	93
Port Chester, N. Y .....	104
Contaminated articles—	
Destruction—Port Chester, N. Y .....	104
Removal—Port Chester, N. Y .....	104
Control of animals—Portland, Me .....	115
Deaths from—Reports by medical examiners—New York, N. Y .....	100
Disinfection—	
Bakersfield, Calif .....	65
Concurrent—Port Chester, N. Y .....	104
New Haven, Conn .....	90
New York, N. Y .....	93
Port Chester, N. Y .....	104
Sacramento, Calif .....	118
Dispensaries—New York, N. Y .....	99
Examination of children for, in day nurseries—Chicago, Ill .....	235
Funerals—Sacramento, Calif .....	118
Hospitalization—	
Buffalo, N. Y .....	71
Fall River, Mass .....	79
New Haven, Conn .....	90
New York, N. Y .....	93, 97
Port Chester, N. Y .....	104
In day nurseries—Reports of—Chicago, Ill .....	235
In homes—Reports of—Chicago, Ill .....	231
In hospitals—Reports of—Chicago, Ill .....	227
Incubation periods—	
New York, N. Y .....	93
Port Chester, N. Y .....	104
Infected persons—	
Exposure of—Port Chester, N. Y .....	104
Removal—Sacramento, Calif .....	118
Transportation and removal—Bakersfield, Calif .....	65
Isolation—	
Bakersfield, Calif .....	65
New Haven, Conn .....	90
New York, N. Y .....	93
Port Chester, N. Y .....	104
Room for—	
In day nurseries—Chicago, Ill .....	235
In homes—Chicago, Ill .....	231
In hospitals—Chicago, Ill .....	227
Laboratories—New York, N. Y .....	98
Needless exposure prohibited—Portland, Me .....	115
Nose and throat cultures from certain persons—Buffalo, N. Y .....	71
Notification of cases—	
Alameda, Calif .....	62
Bakersfield, Calif .....	65
In rooming houses—Milwaukee, Wis .....	252
Kansas City, Mo .....	82
Louisville, Ky .....	83
New Haven, Conn .....	90
New York, N. Y .....	92
Port Chester, N. Y .....	104
Portland, Me .....	115
Sacramento, Calif .....	118
Occupation of premises after termination—Port Chester, N. Y .....	104
Of the eye—Dispensaries—New York, N. Y .....	99
Patients—Removal—Port Chester, N. Y .....	104
Placarding—	
Bakersfield, Calif .....	65
By common carriers—Port Chester, N. Y .....	104
New Haven, Conn .....	90
New York, N. Y .....	93

## Communicable diseases—Continued.

	Page.
Placarding—Continued.	
Port Chester, N. Y.-----	104
Sacramento, Calif.-----	118
Precautions by physicians and attendants—Port Chester, N. Y.-----	104
Prevention—	
Authority given to city commission—Jacksonville, Fla.-----	82
Powers and duties of health officer—Portland, Me.-----	115
Quarantine—	
Bakersfield, Calif.-----	65
Colorado Springs, Colo.-----	74
In case of epidemic—Trenton, N. J.-----	126
New Haven, Conn.-----	90
New York, N. Y.-----	93
Port Chester, N. Y.-----	104
Sacramento, Calif.-----	118
Regulations by health officer—Bakersfield, Calif.-----	65
Renovation—	
Bakersfield, Calif.-----	65
Port Chester, N. Y.-----	104
Sale, handling, and destruction of foodstuffs—Port Chester, N. Y.-----	104
School attendance—	
Bakersfield, Calif.-----	65
Cincinnati, Ohio.-----	73
Port Chester, N. Y.-----	104
Portland, Me.-----	115
Sacramento, Calif.-----	118
Screening—New Haven, Conn.-----	90
Spread—Prevention in institutions—Port Chester, N. Y.-----	104
Well persons—Exposure of—Port Chester, N. Y.-----	104
Communicable diseases of animals. ( <i>See Animals.</i> )	
Confectionery—	
Employees handling—Physical examination—Oklahoma City, Okla.-----	242
Manufacture and sale—Oklahoma City, Okla.-----	242
Contacts—Diphtheria—Allentown, Pa.-----	63
Contagious diseases. ( <i>See Communicable diseases; Names of specific diseases; Venereal diseases.</i> )	
Coryza—	
Notification of cases—Pasadena, Calif.-----	101
Placarding—Pasadena, Calif.-----	101
Quarantine—Pasadena, Calif.-----	101
Coughing—Covering nose and mouth—New York, N. Y.-----	101
Cows. ( <i>See Milk; Milk and cream; Milk and milk products.</i> )	
Cream. ( <i>See Milk and cream; Milk and milk products.</i> )	
Cultures—Nose and throat—From certain persons—Buffalo, N. Y.-----	71
Cumberland, Md.—Pupils—Required to be vaccinated or have had smallpox.-----	74
Cups. ( <i>See Common drinking cups.</i> )	
Cuspidors. ( <i>See Spittoons.</i> )	

## D.

## Day nurseries—

Children received—Register of, to be kept—Chicago, Ill.-----	235
Closing of—Chicago, Ill.-----	235
Construction—Chicago, Ill.-----	235
Examination of children for communicable diseases—Chicago, Ill.-----	235
Inspection—Chicago, Ill.-----	235
Isolation room for communicable diseases—Chicago, Ill.-----	235
Medical examinations—Reports of, to be kept—Chicago, Ill.-----	235
Monthly reports to commissioner of health—Chicago, Ill.-----	235
Permit—	
Chicago, Ill.-----	235
Revocation—Chicago, Ill.-----	235
Reports of communicable diseases—Chicago, Ill.-----	235
Sanitary regulation—Chicago, Ill.-----	235
Dayton, Ohio—Rabies—Prevention.-----	75

<b>Dead bodies—</b>	
(See also Communicable diseases; Disinterments; Embalming; Interments.)	Page.
Removal from homes—Chicago, Ill.....	231
Transportation—Port Chester, N. Y.....	38
<b>Deaths—</b>	
Certificates—Data to be obtained by hospitals, etc.—Birmingham, Ala.....	33
Communicable diseases—Reports by medical examiners—New York, N. Y.....	100
Copy of registry—Filling—New York, N. Y.....	38
Malaria—Reports of—Memphis, Tenn.....	256
Pellagra—Notification—Memphis, Tenn.....	88
Registration—New York, N. Y.....	37
Reporting—Wheeling, W. Va.....	38
Reports—Sacramento, Calif.....	211
Denver, Colo.—Venereal diseases.....	403
<b>Department of health—</b>	
(See also Board of health; Board of health control; Bureau of health; Department of public health; Department of public health and sanitation; Division of health.)	
Division of air conditions control—Establishment, duties, officers, and employees—Chicago, Ill.....	373
Officers and employees—Qualifications and salaries—Louisville, Ky.....	207
Placed under board of public safety—Louisville, Ky.....	207
<b>Department of public health—</b>	
(See also Board of health; Board of health control; Bureau of health; Department of health; Department of public health and sanitation; Division of health.)	
Advisory board—Syracuse, N. Y.....	217
Establishment—Syracuse, N. Y.....	217
Officers and employees—Appointment, powers, and duties—Syracuse, N. Y.....	217
<b>Department of public health and sanitation—</b>	
(See also Board of health; Board of health control; Bureau of health; Department of health; Department of public health; Division of health.)	
Divisions—Sacramento, Calif.....	211
Officers and employees—Qualifications, powers, duties, and salaries—Sacramento, Calif.....	211
<b>Des Moines, Iowa—Smallpox—</b>	
Vaccination of pupils.....	75
Vaccination of pupils, teachers, and school janitors.....	76
<b>Detroit, Mich.—</b>	
Dwelling code.....	40
Poliomyelitis.....	76
<b>Diphtheria—</b>	
(See also Communicable diseases.)	
Antitoxin—Reporting of sales—Birmingham, Ala.....	69
Carriers—Allentown, Pa.....	63
Contacts—Allentown, Pa.....	63
Cultures—Port Chester, N. Y.....	104
Disinfection—Allentown, Pa.....	63
Hospitalization—Allentown, Pa.....	63
Quarantine—Allentown, Pa.....	63
Sale and handling of milk and foodstuffs—Allentown, Pa.....	63
<b>Diseases. (See Communicable diseases; Names of specific diseases; Industrial diseases; Venereal diseases.)</b>	
<b>Disinfection. (See Communicable diseases; Diphtheria; Tuberculosis.)</b>	
Disinterments—Somerville, Mass.....	38
<b>Dispensaries—</b>	
Communicable diseases—New York, N. Y.....	99
Communicable eye diseases—New York, N. Y.....	99
Venereal diseases—	
Conduct—New York, N. Y.....	413
<b>Maintenance—</b>	
Birmingham, Ala.....	399
New York, N. Y.....	413
<b>Division of air conditions control—Establishment, duties, officers, and employees—Chicago, Ill.....</b>	<b>373</b>



Division of health—	
(See also Board of health; Board of health control; Bureau of health; Department of health; Department of public health; Department of public health and sanitation.)	
Bureaus in—Establishment and duties—Toledo, Ohio-----	Page. 220
Employees—Salaries—Toledo, Ohio-----	220
Dogs. (See Animals.)	
Domestic animals. (See Animals.)	
Drinking cups. (See Common drinking cups.)	
Drinking places. (See Eating and drinking places; Food and drink establishments; Restaurants; Soda fountains.)	
Drinking water. (See Water.)	
Drug addicts—	
(See also Habit-forming drugs.)	
Registration—Jacksonville, Fla-----	132
Sale and dispensing of habit-forming drugs to—Jacksonville, Fla-----	132
Treatment—Kansas City, Mo-----	132
Druggists—	
(See also Venereal diseases.)	
Sales of diphtheria antitoxin by—Reporting—Birmingham, Ala-----	69
Drugs. (See Drug addicts; Habit-forming drugs.)	
Duluth, Minn.—	
Influenza—Preventive measures-----	78
Milk and cream—Pasteurized-----	320
Durham, N. C.—	
Food establishments-----	162
Human excreta—Sanitary disposal-----	141
Privies-----	138
Sewer connections-----	138
Soda fountains and ice cream parlors—	
Paper cups and saucers required-----	165
Sterilization of spoons-----	165
Water connections-----	138
Dust—Prevention—Sweeping porches and beating rugs, etc.—Milwaukee, Wis-----	376
Dwellings—	
(See also Buildings; Residences.)	
Building, occupancy, and maintenance—Detroit, Mich-----	40
Screening required—Memphis, Tenn-----	256
<b>E.</b>	
East Cleveland, Ohio—Habit-forming drugs-----	127
Eating and drinking places—	
(See also Eating places; Food and drink establishments; Restaurants; Soda fountains.)	
Cleanliness—Mobile, Ala-----	176
Employees—	
Certificates of health—	
Allentown, Pa-----	150
Providence, R. I-----	183
Winston-Salem, N. C-----	187
Mobile, Ala-----	176
Physical examination—Allentown, Pa-----	150
Foodstuffs—Protection—Mobile, Ala-----	176
Milk and cream used—Pasteurization—Macon, Ga-----	176
Sanitary regulation—Winston-Salem, N. C-----	187
Utensils—	
Cleaning—Allentown, Pa-----	150
Cleaning and sterilization—Flint, Mich-----	165
Sterilization—	
Boston, Mass-----	156
Mobile, Ala-----	176
Winston-Salem, N. C-----	187
Eating and drinking utensils—	
(See also Common eating and drinking utensils; Food utensils.)	
Cleaning—	
Allentown, Pa-----	150
Louisville, Ky-----	61
White Plains, N. Y-----	248

<b>Eating and drinking utensils—Continued.</b>	<b>Page.</b>
Cleaning and sterilization—Flint, Mich.....	165
Paper cups and saucers at soda fountains and ice cream parlors—Durham, N. C.....	165
Spoons at soda fountains and ice cream parlors—Sterilization—Durham, N. C.....	165
Sterilization—	
Boston, Mass.....	156
Jacksonville, Fla.....	166
Lansing, Mich.....	166
Little Rock, Ark.....	172
Maywood, Ill.....	240
Mobile, Ala.....	176
Winston-Salem, N. C.....	187
<b>Eating places—</b>	
(See also Eating and drinking places; Food and drink establishments; Restaurants.)	
Employees—Health certificates required—Newport, R. I.....	178
Inspection—Bridgeton, N. J.....	158
Licenses—Bridgeton, N. J.....	158
Sanitary regulation—Bridgeton, N. J.....	158
Eggs—"Spot" and "rot"—Denaturing—Boston, Mass.....	156
El Paso, Tex.—	
Lodging houses.....	250
Tenement houses.....	251
Elgin, Ill.—Smallpox—Unvaccinated pupils.....	79
Embalming—	
(See also Burial.)	
Fall River, Mass.....	33
<b>Excreta, human—</b>	
(See also Cesspools; Privies; Sewer connections; Water-closets.)	
Removal, transportation, and disposal—Louisville, Ky.....	144
Sanitary disposal—	
Durham, N. C.....	141
Wake County, N. C.....	147
Eye diseases, communicable—Dispensaries—New York, N. Y.....	99
<b>F.</b>	
<b>Factories—</b>	
First-aid supplies required in—Somerville, Mass.....	385
Splittoons required—	
New York, N. Y.....	394
Somerville, Mass.....	395
Fall River, Mass.—	
Burial.....	33
Communicable diseases—Hospitalization.....	79
Embalming.....	33
Measles—School attendance of exposed children.....	79
Feces—Examination—Convalescent typhoid cases—Louisville, Ky.....	85
Ferryboats—Cleaning—New York, N. Y.....	377
Ferryhouses—Cleaning—New York, N. Y.....	377
First-aid supplies—Required in factories—Somerville, Mass.....	385
Fish—Sale—Prohibited on streets or sidewalks—Montgomery, Ala.....	177
Fish canneries—Sanitary regulation—Los Angeles, Calif.....	175
Flint, Mich.—	
Eating and drinking utensils—Cleaning and sterilization.....	165
Ice cream—Sale on street.....	165
<b>Food and drink establishments—</b>	
(See also Eating and drinking places; Eating places; Food establishments; Restaurants; Soda fountains.)	
Employees—Health certificates—	
Jacksonville, Fla.....	166
Little Rock, Ark.....	172
Protection of foodstuffs—Jacksonville, Fla.....	166
Sanitary regulation—Little Rock, Ark.....	172
Screening—Jacksonville, Fla.....	166
Utensils—Sterilization—	
Jacksonville, Fla.....	166
Little Rock, Ark.....	172

	Page.
Food and drink places—Cleaning of utensils—Louisville, Ky-----	61
Food establishments—	
Dogs prohibited—Chicago, Ill-----	162
Employees—	
Health certificates—	
Portland, Me-----	180
Portland, Oreg-----	182
Physical examination—	
Durham, N. C-----	162
Lansing, Mich-----	166
Portland, Oreg-----	182
San Diego, Calif-----	183
Inspection—	
Hartford, Conn-----	264
Lansing, Mich-----	166
Licenses—	
Lansing, Mich-----	166
Portland, Oreg-----	182
Permits—	
Austin, Tex-----	150
San Diego, Calif-----	183
Protection of foodstuffs—	
Austin, Tex-----	150
Durham, N. C-----	162
Lansing, Mich-----	166
Registration—Portland, Me-----	180
Sale of foodstuffs—Lansing, Mich-----	166
Sanitary regulation—	
Austin, Tex-----	150
Durham, N. C-----	162
Lansing, Mich-----	166
Portland, Me-----	180
San Diego, Calif-----	183
Utensils—Sterilization—	
Austin, Tex-----	150
Lansing Mich-----	166
Food poisoning—Reports of—Port Chester, N. Y-----	104
Food poisoning or infection—Notification of cases—Chicago, Ill-----	73
Food utensils—	
(See also Common eating and drinking utensils; Eating and drinking utensils.)	
Handling by tuberculous persons—Brookline, Mass-----	71
Sterilization—	
Austin, Tex-----	150
Lansing Mich-----	166
Little Rock, Ark-----	172
Foodstuffs—	
(See also Berries; Confectionery; Eggs; Fish; Fruits; Ice; Ice cream; Ices; Meat; Meat food products; Milk; Milk and cream; Milk and milk prod- ucts; Oysters; Vegetables.)	
Cooked or prepared—Sale and protection—Los Angeles, Calif-----	174
Handling and sale in diphtheria cases—Allentown, Pa-----	63
Handling by tuberculous persons—Brookline, Mass-----	71
Keeping in cold storage—Time limit—New York, N. Y-----	178
Protection—	
Austin, Tex-----	150
Durham, N. C-----	162
Jacksonville, Fla-----	166
Lansing, Mich-----	166
Mobile, Ala-----	176
Newport, R. I-----	178
Omaha, Nebr-----	179
Somerville, Mass-----	186
Sale—Lansing, Mich-----	166
Sale, handling, and destruction in communicable disease cases—Port Chester, N. Y-----	104
Wrapping—	
New York, N. Y-----	177
Paterson, N. J-----	180

	Page.
Fort Dodge, Iowa—City health physician.....	205
Fort Worth, Tex.—Privies—Location, construction, maintenance, and cleaning.....	142
Fountains, soda. ( <i>See</i> Soda fountains.)	
Fruits—	
( <i>See also</i> Foodstuffs.)	
Protection—Louisville, Ky.....	176
Funerals. ( <i>See</i> Burial; Communicable diseases.)	

## G.

Garbage—	
Collection—	
Alameda, Calif.....	188
Bakersfield, Calif.....	191
Lawrence, Kans.....	193
Louisville, Ky.....	194
Oneonta, N. Y.....	195
Sacramento, Calif.....	197
St. Paul, Minn.....	199
Disposal—	
Alameda, Calif.....	188
Bakersfield, Calif.....	191
Louisville, Ky.....	194
Oneonta, N. Y.....	195
Sacramento, Calif.....	197
Feeding to swine—Los Angeles, Calif.....	17
Keeping—	
Alameda, Calif.....	188
Bakersfield, Calif.....	191
Lawrence, Kans.....	193
Sacramento, Calif.....	197
Receptacles—	
Louisville, Ky.....	194
Oneonta, N. Y.....	195
St. Paul, Minn.....	199
Gatherings—Attendance at. ( <i>See</i> Communicable diseases; Influenza.)	
Gauze masks. ( <i>See</i> Influenza.)	
Glanders. ( <i>See</i> Animals; Communicable diseases.)	
Gongs—When prohibited—New York, N. Y.....	377
Gonorrhea. ( <i>See</i> Communicable diseases; Venereal diseases.)	
Grand Forks, N. Dak.—Public health and sanitation officer.....	206
Grasses—	
Hay fever—Prevention of pollenization—Milwaukee, Wis.....	55
Noxious—Cutting and removal—New Orleans, La.....	56
By city.....	57
Over 18 inches high—Prohibited—Trenton, N. J.....	60
Green Bay, Wis.—Influenza.....	79
Greenwich, Conn.—Midwifery—Regulation of practice.....	298

## H.

Habit-forming drugs—	
( <i>See also</i> Drug addicts.)	
Possession, sale, and dispensing—East Cleveland, Ohio.....	127
Sale and dispensing to addicts—Jacksonville, Fla.....	132
Hartford, Conn.—	
Meat—	
Inspection of carcasses.....	264
Inspection of food establishments.....	264
Sale.....	264
Slaughterhouses—Inspection.....	264
Hay fever grasses and weeds—Prevention of pollenization—Milwaukee, Wis.....	55
Head lice—	
( <i>See also</i> Pediculosis.)	
Children required to be free from—Marquette, Mich.....	376
Health authorities. ( <i>See</i> Board of health; Board of health control; Bureau of health; Department of health; Department of public health; Department of public health and sanitation; Division of health; Health officer.)	
Health commissioner. ( <i>See</i> Health officer.)	



## Health officer—

(See also Bureau of health; Department of health; Department of public health and sanitation; Division of health.)

Appeals from orders of—Syracuse, N. Y.----- 217

## Appointment—

Cambridge, Mass.----- 201

Fort Dodge, Iowa----- 205

Grand Forks, N. Dak.----- 206

New York, N. Y.----- 209

Pittsfield, Mass.----- 209

Port Chester, N. Y.----- 210

Quincy, Mass.----- 211

Syracuse, N. Y.----- 217

Communicable disease regulations by—Bakersfield, Calif.----- 65

Deputy—Creation of office—Pasadena, Calif.----- 101

## Duties—

Altoona, Pa.----- 201

Cambridge, Mass.----- 201

Fort Dodge, Iowa----- 205

Grand Forks, N. Dak.----- 206

New York, N. Y.----- 209

Pittsfield, Mass.----- 209

Port Chester, N. Y.----- 210

Quincy, Mass.----- 211

Syracuse, N. Y.----- 217

## Monthly reports to—

By day nurseries—Chicago, Ill.----- 235

By homes—Chicago, Ill.----- 231

By hospitals—Chicago, Ill.----- 227

Monthly reports to State health commissioner—Port Chester, N. Y.----- 210

## Powers—

Fort Dodge, Iowa----- 205

Port Chester, N. Y.----- 210

Quincy, Mass.----- 211

Syracuse, N. Y.----- 217

Powers and duties in preventing communicable diseases—Portland, Me.----- 115

## Qualifications—

Altoona, Pa.----- 201

Fort Dodge, Iowa----- 205

Grand Forks, N. Dak.----- 206

Pittsfield, Mass.----- 209

Port Chester, N. Y.----- 210

Removal—Quincy, Mass.----- 211

## Salary—

Altoona, Pa.----- 201

Cambridge, Mass.----- 201

Fort Dodge, Iowa----- 205

Grand Forks, N. Dak.----- 206

Pittsfield, Mass.----- 209

Health physician, city. (See Health officer.)

Highland Park, Mich.—Tuberculosis----- 80

Hogs. (See Animals.)

## Homes—

Building or maintenance—Consent of property owners—Chicago, Ill.----- 231

Closing of—Chicago, Ill.----- 231

Construction—Chicago, Ill.----- 231

Dead bodies of inmates—Removal—Chicago, Ill.----- 231

Disposition of children—Reports of—Chicago, Ill.----- 231

Inmates—Records of, to be kept—Chicago, Ill.----- 231

Inspection—Chicago, Ill.----- 231

Isolation room for communicable diseases—Chicago, Ill.----- 231

## License—

Chicago, Ill.----- 231

Revocation—Chicago, Ill.----- 231

Monthly reports to commissioner of health—Chicago, Ill.----- 231

Reports of communicable diseases—Chicago, Ill.----- 231

Sanitary requirements—Chicago, Ill.----- 231

Horses. (*See* Animals.)

Hospitalization. (*See* Communicable diseases; Diphtheria; Smallpox; Tuberculosis; Venereal diseases.)

Hospitals:

Construction—	Page.
Boston, Mass.....	226
Chicago, Ill.....	227
Detention—For venereal diseases—Topeka, Kans.....	419
Disposition of children—Reports of—Chicago, Ill.....	227
Isolation room for communicable diseases—Chicago, Ill.....	227
License—Chicago, Ill.....	227
Maintenance—Boston, Mass.....	226
Maternity cases—Records of —Chicago, Ill.....	227
Monthly reports to commissioner of health—Chicago, Ill.....	227
Records—Chicago, Ill.....	227
Reports of communicable diseases and other conditions—Chicago, Ill.....	227
Reports to superintendent of police—Chicago, Ill.....	227
Typhoid fever cases—Care and discharge—Chicago, Ill.....	227

## I.

Ice—Cutting, manufacture, sale, and distribution—Michigan City, Ind.....	425
Ice cream—	
Care—	
Maywood, Ill.....	240
Wheeling, W. Va.....	246
White Plains, N. Y.....	248
Employees handling—Physical examination—Oklahoma City, Okla.....	242
Manufacture—	
Maywood, Ill.....	240
Oklahoma City, Okla.....	242
Somerville, Mass.....	245
Wheeling, W. Va.....	246
White Plains, N. Y.....	247, 248
Sale—	
From vehicles—Bakersfield, Calif.....	240
Maywood, Ill.....	240
Oklahoma City, Okla.....	242
On street—Flint, Mich.....	165
Somerville, Mass.....	245
Wheeling, W. Va.....	246
White Plains, N. Y.....	247, 248
Utensils used in serving—Cleaning—White Plains, N. Y.....	248
Ice cream parlors—	
Paper cups and saucers required—Durham, N. C.....	165
Spoons—Sterilization—Durham, N. C.....	165
Utensils—Cleaning and sterilization—Flint, Mich.....	165
Ices—	
Employees handling—Physical examination—Oklahoma City, Okla.....	242
Manufacture and sale—Oklahoma City, Okla.....	242
Manufacture, care, and sale—Maywood, Ill.....	240
Sale—From vehicles—Bakersfield, Calif.....	240
Illness in which malaria is contributory—Notification of cases—Memphis, Tenn.....	256
Incubation periods. ( <i>See</i> Communicable diseases; Poliomyelitis.)	
Indianapolis, Ind.—Smallpox—	
Powers and duties of board of health.....	81
Vaccination of population.....	81
Industrial diseases—Notification of cases—	
Louisville, Ky.....	83
Portland, Me.....	115
Infants. ( <i>See</i> Children; Day nurseries; Homes; Hospitals.)	
Infectious diseases. ( <i>See</i> Communicable diseases; Names of specific diseases; Venereal diseases.)	
Influenza—	
( <i>See also</i> Communicable diseases.)	
Burial—Boston, Mass.....	71

## Influenza—Continued.

	Page.
Isolation—	
Marinette, Wis.....	87
Pittsburg, Kans.....	102
Springfield, Mass.....	124
Notification of cases—	
Berkeley, Calif.....	68
Boone, Iowa.....	70
Green Bay, Wis.....	79
New Castle, Pa.....	89
Pasadena, Calif.....	101
Pittsburg, Kans.....	102
Spokane, Wash.....	123
Placarding—	
Green Bay, Wis.....	79
Marinette, Wis.....	87
New Castle, Pa.....	89
Pasadena, Calif.....	101
Pittsburg, Kans.....	102
Prevention—Closing of places—Los Angeles, Calif.....	83
Preventive measures—	
Authorized—Pittsburg, Kans.....	102
Boone, Iowa.....	70
Columbus, Ohio.....	74
Duluth, Minn.....	78
Marinette, Wis.....	87
McKeesport, Pa.....	85
San Diego, Calif.....	120
Quarantine—	
Green Bay, Wis.....	79
Marinette, Wis.....	87
New Castle, Pa.....	89
Pasadena, Calif.....	101
Pittsburg, Kans.....	102
San Diego, Calif.....	120
Spokane, Wash.....	123
School attendance—Springfield, Mass.....	124
Schools and public gatherings—Attendance at—	
New Castle, Pa.....	89
Pittsburg, Kans.....	102
Wearing of masks—	
Berkeley, Calif.....	68
New Castle, Pa.....	89
Oakland, Calif.....	101
Sacramento, Calif.....	119
San Diego, Calif.....	123
Institutions for infants, dependents, orphans, the aged, etc. (See Homes.)	
Interments—	
(See also Burial.)	
Somerville, Mass.....	38
Iowa City, Iowa—Public health nurse.....	207
Isolation. (See Communicable diseases; Influenza; Poliomyelitis; Smallpox; Venereal diseases.)	
Ithaca, N. Y.—Whooping cough—Wearing of yellow arm band.....	82

## J.

## Jacksonville, Fla.—

Barber shops.....	22
Beauty parlors.....	22
Diseases dangerous to public health—Prevention.....	82
Drug addicts—Registration.....	132
Food and drink establishments.....	166
Habit-forming drugs—To addicts.....	132
Manicure shops.....	22
Public baths.....	22
Janitors, school—Smallpox vaccination—Des Moines, Iowa.....	76

	Page.
Junk—Itinerant dealers in—Licensing—Philadelphia, Pa.....	382
Junk shops—	
Licenses—Philadelphia, Pa.....	380
Sanitary regulation—Philadelphia, Pa.....	380
<b>K.</b>	
Kansas City, Kans.—Hogs—Keeping.....	16
Kansas City, Mo.—	
Communicable diseases—Notification of cases.....	82
Drug addicts—Treatment.....	132
Smallpox.....	83
Kokomo, Ind.—Weeds—Cutting and removal.....	54
<b>L.</b>	
Laboratories—Communicable diseases—New York, N. Y.....	98
Laboratory examinations—Venereal diseases—	
New York, N. Y.....	409
Niagara Falls, N. Y.....	415
Lansing, Mich.—Food establishments.....	166
Lawrence, Kans.—Garbage—Keeping and collection.....	193
Lice, head—	
(See also Pediculosis.)	
Children required to be free from—Marquette, Mich.....	376
Literature, medical—Free distribution—Camden, N. J.....	390
Little Rock, Ark.—	
Animals—Communicable diseases.....	17
Barber shops.....	23
Food and drink establishments.....	172
Manicure shops.....	23
Lodging houses—	
(See also Rooming houses.)	
Inspection—El Paso, Tex.....	250
Permit required—El Paso, Tex.....	250
Sanitary regulation—El Paso, Tex.....	250
Los Angeles, Calif.—	
Barber shops.....	23
Barbers—Licensing and physical examination.....	23
Cooked or prepared food—Sale and protection.....	174
Fish canneries—Sanitary regulation.....	175
Influenza—Closing of places to prevent.....	83
Swine—	
Feeding garbage and offal to.....	17
Keeping.....	17
Louisville, Ky.—	
Cesspools—	
Permits required.....	144
When prohibited.....	144
Common drinking cups—Prohibited.....	61
Common towels—Prohibited.....	61
Communicable diseases—Notification of cases.....	83
Eating and drinking utensils—Cleaning.....	61
Fruits, berries, and vegetables—Protection.....	176
Garbage, refuse, manure, and ashes.....	194
Health department—	
Officers and employees.....	207
Under public safety board.....	207
Human excreta—Removal, transportation, and disposal.....	144
Industrial diseases—Notification of cases.....	83
Manure—Keeping, removal, and transportation—Receptacles.....	396
Meat—Sale.....	266
Meat inspectors—Appointment, salaries, and duties.....	266
Mosquitoes—Prevention of breeding.....	255
Nuisances—Defined—Abatement.....	388
Nuisances, certain—Abatement by police officers.....	209



Louisville, Ky.—Continued.	
Privies—	Page.
Construction .....	144
Permits required .....	144
When prohibited .....	144
Slaughtering and slaughterhouses—Sanitary regulation .....	266
Typhoid fever—Examination of feces and urine .....	85
Veneral diseases .....	404
Water supplies—	
Chemical and bacteriological tests .....	424
Use prohibited when polluted .....	424
Water supply, city—Connections with .....	424
<b>M.</b>	
Macon, Ga.—	
Milk and cream used in eating and drinking places .....	176
Stables and manure .....	396
Whooping cough—Wearing of yellow arm band .....	86
Malaria—	
(See also Communicable diseases; Mosquitoes.)	
Deaths from—Reports of—Memphis, Tenn .....	256
Notification of cases—Memphis, Tenn .....	256
Manicure shops—	
(See also Manicures.)	
Employees—Health certificates—	
Jacksonville, Fla .....	22
Little Rock, Ark .....	23
Sanitary regulation—	
Jacksonville, Fla .....	22
Little Rock, Ark .....	23
Manicures—	
(See also Manicure shops.)	
Regulation—Port Chester, N. Y .....	30
Manure—	
Collection and disposal—Louisville, Ky .....	194
Depositing on private property or vacant grounds—Chicago, Ill .....	192
Keeping—	
Louisville, Ky .....	396
Macon, Ga .....	396
New London, Conn .....	397
Portland, Me .....	397
Receptacles—	
Construction—	
Louisville, Ky .....	396
Macon, Ga .....	396
Portland, Me .....	397
Louisville, Ky .....	194
Removal—	
Louisville, Ky .....	396
Macon, Ga .....	396
New London, Conn .....	397
Portland, Me .....	397
Transportation—	
Louisville, Ky .....	396
New London, Conn .....	397
New York, N. Y .....	397
Portland, Me .....	397
Marinette, Wis.—Influenza .....	87
Marquette, Mich.—Head lice—Children to be free from .....	376
Marriages—	
Copy of registry—Filing—New York, N. Y .....	38
Not previously recorded—Registration—New York, N. Y .....	36
Masks. (See Influenza.)	
Maternity cases—Hospital records of—Chicago, Ill .....	227
Mattresses—	
Making, remaking, labeling, and sale—Oakland, Calif .....	377
Secondhand—Trenton, N. J .....	385

<b>Maywood, Ill.—</b>	Page.
Ice cream and ices-----	240
Soda fountains—Cleanliness-----	240
<b>McKeesport, Pa.—Influenza—Preventive measures-----</b>	<b>85</b>
<b>Measles—</b>	
(See also Communicable diseases.)	
School attendance of exposed children—Fall River, Mass-----	79
<b>Meat—</b>	
(See also Foodstuffs; Slaughterhouses; Slaughtering.)	
<b>Carcasses—</b>	
Bringing into city—New York, N. Y-----	276
Inspection—Hartford, Conn-----	264
Food establishments—Inspection—Hartford, Conn-----	264
<b>Inspection—</b>	
Omaha, Nebr-----	278
Utica, N. Y-----	294
<b>Sale—</b>	
Hartford, Conn-----	264
Louisville, Ky-----	266
Milwaukee, Wis-----	270
Omaha, Nebr-----	278
<b>Meat food products—</b>	
Inspection—Utica, N. Y-----	294
Preparation—Milwaukee, Wis-----	270
<b>Meat food products establishments—</b>	
Construction—Chicago, Ill-----	260
Employees—Chicago, Ill-----	260
Kind of meat to be used—Chicago, Ill-----	260
Licensing—Chicago, Ill-----	260
Sanitary regulation—Chicago, Ill-----	260
Meat inspectors—Appointment, salaries, and duties—Louisville, Ky-----	266
Meat products establishments—Sanitary regulation—Omaha, Nebr-----	278
Medical examiners—Reports by, of deaths from communicable diseases—New York, N. Y-----	100
Medical literature and advertisements—Free distribution—Camden, N. J-----	390
Medicine. (See Patent medicines; Venereal diseases.)	
<b>Memphis, Tenn.—</b>	
Dwellings—Screening required-----	256
Illness in which malaria is contributory—Notification of cases-----	256
<b>Malaria—</b>	
Notification of cases-----	256
Reports of deaths from-----	256
Pellagra-----	88
Michigan City, Ind.—Ice—Cutting, manufacture, sale, and distribution-----	425
<b>Midwifery—</b>	
<b>Practice—</b>	
Permits required—Birmingham, Ala-----	298
<b>Regulation of—</b>	
Greenwich, Conn-----	298
Newark, N. J-----	301, 302
Winston-Salem, N. C-----	306
Regulations authorized—Newark, N. J-----	301
<b>Midwives—</b>	
Registration—Newark, N. J-----	301
<b>Reports by—</b>	
Newark, N. J-----	302
Winston-Salem, N. C-----	306
Required to be licensed—Port Chester, N. Y-----	306
<b>Milk—</b>	
Handling and sale in diphtheria cases—Allentown, Pa-----	63
"Modified milk" defined—New York, N. Y-----	333
<b>Skimmed—</b>	
Adulterated—Possession or sale—New York, N. Y-----	335
"Adulterated" defined—New York, N. Y-----	335
Sale—New York, N. Y-----	344

<b>Milk and cream—</b>	
Adulterated—	<b>Page.</b>
Possession or sale prohibited—New York, N. Y.	332
Seizure and destruction authorized—New York, N. Y.	333
Conformity to standards of grades—New York, N. Y.	334
Grades—Buffalo, N. Y.	318
Grades and designations—New York, N. Y.	334
Handling and sale—New York, N. Y.	342
Labeling—New York, N. Y.	344
Pasteurization—Buffalo, N. Y.	318
Pasteurized—Production, handling, and sale—Duluth, Minn.	320
Production, handling, and sale—	
Port Chester, N. Y.	353
St. Paul, Minn.	360
Receipts, deliveries, and sales—Records of—New York, N. Y.	344
Receptacles—	
Cleaning—New York, N. Y.	334
Use—New York, N. Y.	334
Reconstituted—	
“Adulterated” defined—New York, N. Y.	335
Manufacture, possession, or sale—Permit—New York, N. Y.	335
Possession or sale when adulterated—New York, N. Y.	335
Production, handling, and sale—New York, N. Y.	336
Receptacles—Cleaning and use—New York, N. Y.	335
Sale—New York, N. Y.	333
Used in eating and drinking places—Pasteurization—Macon, Ga.	176
<b>Milk and milk products—</b>	
Production, handling, and sale—	
Baltimore, Md.	308
Minneapolis, Minn.	322
Oklahoma City, Okla.	345
Portland, Me.	357
Sale—Buffalo, N. Y.	318
Terms defined—New York, N. Y.	331
Unwholesome—Possession or sale prohibited—New York, N. Y.	332
<b>Milwaukee, Wis.—</b>	
Dust—Prevention—Sweeping porches and beating rugs, etc.	376
Hay fever grasses and weeds—Pollenization	55
Meat—Sale	270
Meat food products—Preparation	270
Rooming houses	252
Slaughtering and slaughterhouses—Sanitary regulation	270
Venereal diseases—Posting notices in toilets	406
Water—Sale	425
<b>Minneapolis, Minn.—</b>	
Children having parasitic troubles—Restriction	89
Milk and milk products	322
<b>Mobile, Ala.—Eating and drinking places</b>	176
<b>Montgomery, Ala.—Fish—Sale</b>	177
<b>Morbidity reports—</b>	
Communicable diseases—	
Alameda, Calif.	62
Bakersfield, Calif.	65
In day nurseries—Chicago, Ill.	235
In homes—Chicago, Ill.	231
In hospitals—Chicago, Ill.	227
In rooming houses—Milwaukee, Wis.	252
Kansas City, Mo.	82
Louisville, Ky.	83
New Haven, Conn.	90
New York, N. Y.	92
Port Chester, N. Y.	104
Portland, Me.	115
Sacramento, Calif.	118
Communicable diseases of animals—Little Rock, Ark.	17
Coryza—Pasadena, Calif.	101
Food poisoning—Port Chester, N. Y.	104

Morbidity reports—Continued.	Page.
Food poisoning or infection—Chicago, Ill.	73
Illness in which malaria is contributory—Memphis, Tenn.	256
Industrial diseases—	
Louisville, Ky.	83
Portland, Me.	115
Influenza—	
Berkeley, Calif.	68
Boone, Iowa.	70
Green Bay, Wis.	79
New Castle, Pa.	89
Pasadena, Calif.	101
Pittsburg, Kans.	102
Spokane, Wash.	123
Malaria—Memphis, Tenn.	256
Pellagra—Memphis, Tenn.	88
Pneumonia—	
Boone, Iowa.	70
Pasadena, Calif.	101
Poliomyelitis—Detroit, Mich.	76
Puerperal septicemia—New York, N. Y.	93
Suppurative conjunctivitis—New York, N. Y.	93
Tuberculosis—	
Highland Park, Mich.	80
To State board of health—Topeka, Kans.	124
Topeka, Kans.	124
Venereal diseases—	
Birmingham, Ala.	399
Denver, Colo.	403
Louisville, Ky.	404
New York, N. Y.	409
Niagara Falls, N. Y.	415
Philadelphia, Pa.	417
Topeka, Kans.	419
Mosquitoes—Prevention of breeding—	
Cambridge, Mass.	255
Issuance of bonds for—Toledo, Ohio.	258
Louisville, Ky.	255
Spartanburg, S. C.	257
N.	
Narcotic drugs. (See Drug addicts; Habit-forming drugs.)	
New Castle, Pa.—Influenza.	89
New Haven, Conn.—Communicable diseases.	90
New London, Conn.—Manure—Keeping, removal, and transportation.	397
New Orleans, La.—	
Births—Reporting and registration.	34
Venereal diseases—Examination, isolation, and treatment of prisoners.	407
Weeds and grass—Noxious—Cutting and removal.	56
By city.	57
New York, N. Y.—	
Animals—	
Nuisances by.	21
Small—Rooms used for sale of.	21
Bathing establishments—	
Permits required.	26
Regulation.	26
Bells or gongs—When prohibited.	377
Birds—Rooms used for sale of.	21
Births—	
Filing copy of registry.	38
Registration.	37
Board of health—How constituted.	209
Buildings and premises—Nuisances prohibited.	58
Burial vaults—Temporary use.	36
Business establishments—Heating.	59



## New York, N. Y.—Continued.

	Page.
Children boarded and cared for—Register of.....	239
Commissioner of health—Appointment and duties.....	209
Communicable diseases—	
Care and treatment of patient.....	93
Deaths from—Reports by medical examiners.....	100
Disinfection and cleaning.....	93
Hospitalization.....	93, 97
Incubation periods.....	93
Isolation.....	93
Notification of cases.....	92
Placarding.....	93
Quarantine.....	93
Coughing and sneezing—Covering nose and mouth.....	101
Deaths—	
Filing copy of registry.....	38
Registration.....	37
Dispensaries—	
Communicable diseases.....	99
Communicable eye diseases.....	99
Venereal diseases.....	413
Dogs—Nuisances by.....	21
Foodstuffs—	
In cold storage—Time limit.....	178
Wrapping.....	177
Horses—Glanders—	
Examination and test for.....	20
Test required.....	20
Laboratories—Communicable diseases.....	98
Manure—Transportation.....	397
Marriages—	
Filing copy of registry.....	38
Registration of certain.....	36
Meat—Bringing carcasses into city.....	276
Milk and cream—	
Adulterated—	
Possession or sale.....	332
Seizure and destruction.....	333
Conformity to standards of grades.....	334
Grades and designations.....	334
Handling and sale.....	342
Labeling.....	344
Receipts, deliveries, and sales—Records of.....	344
Receptacles—	
Cleaning.....	334
Use.....	334
Reconstituted—	
"Adulterated" defined.....	335
Manufacture, possession, or sale—Permit.....	335
Possession or sale when adulterated.....	335
Production, handling, and sale.....	336
Receptacles—Cleaning and use.....	335
Sale.....	333
Milk and milk products—	
Terms defined.....	331
Unwholesome—Possession or sale.....	332
"Modified milk" defined.....	333
Oysters—Adulterated or misbranded.....	177
Patent medicines—	
Ingredients—Registering names of.....	390
Sale.....	390
Poultry slaughterhouses.....	276
Puerperal septicemia—Notification of cases.....	93
Railroad cars and stations, ferryboats, ferry houses, etc.—Cleaning.....	377
Residences—Heating.....	59
Sanitary code—Violation—Punishment.....	377
Schools—Establishment and maintenance.....	392

New York, N. Y.—Continued,	
Skimmed milk—	Page.
Adulterated—Possession or sale	335
"Adulterated" defined	335
Sale	344
Spitting and spittoons	394
Stillbirths—	
Filing copy of registry	38
Registration	37
Suppurative conjunctivitis—Notification of cases	93
Tuberculosis—Requirements	93
Venereal diseases	409, 413
Ventilation—Standards	58
Newark, N. J.—	
Midwifery—	
Regulation of practice	301, 302
Regulations authorized	301
Midwives—	
Registration	301
Reports by	302
Newport, R. I.—	
Eating places—Health certificates from employees	178
Foodstuffs—Protection	178
Niagara Falls, N. Y.—Venereal diseases	415
Norwich, Conn.—Spitting—Prohibited in public places	394
Nuisances—	
Abatement—	
Berkeley, Calif.	387
By police officers—Louisville, Ky.	209
Louisville, Ky.	388
Port Chester, N. Y.	389
Buildings and premises to be free from—New York, N. Y.	58
By animals—Prevention—New York, N. Y.	21
Defined—	
Berkeley, Calif.	387
Louisville, Ky.	388
Smoke—Prevention—Chicago, Ill.	373
Nurse, public health. (See Public health nurse.)	
Nurseries, day. (See Day nurseries.)	
<b>O.</b>	
Oakland, Calif.—	
Influenza—Wearing of masks	101
Mattresses—Making, remaking, labeling, and sale	377
Occupational diseases. (See Industrial diseases.)	
Offal—Feeding to swine—Los Angeles, Calif.	17
Offensive trades—Locations of—Somerville, Mass.	385
Offices—Spittoons required—New York, N. Y.	394
Oklahoma City, Okla.—	
Ice cream, ices, and confectionery	242
Milk and milk products	345
Omaha, Nebr.—	
Foodstuffs—Protection	179
Meat—Inspection and sale	278
Meat products establishments—Sanitary regulation	278
Slaughtering and slaughterhouses—Sanitary regulation	278
Omnibuses—Cleaning—New York, N. Y.	377
Oneonta N. Y.—Garbage—Receptacles—Collection and disposal	195
Open cisterns. (See Water.)	
Oysters—Adulterated or misbranded—Possession or sale prohibited—New York, N. Y.	177
<b>P.</b>	
Parasitic troubles—Children having—Restriction—Minneapolis, Minn.	89
Pasadena, Calif.—	
Coryza	101
Deputy health officer—Creation of office	101

	<b>Page.</b>
Pasadena, Calif.—Continued.	
Influenza .....	101
Pneumonia .....	101
Pasteurization. (See Milk and cream; Milk and milk products.)	
Patent medicines—	
Free distribution—Camden, N. J .....	390
Names of ingredients to be registered—New York, N. Y .....	390
Sale—New York, N. Y .....	390
Paterson, N. J.—Foodstuffs—Wrapping .....	180
Pediculosis—	
(See also Head lice.)	
Pupils with—Exclusion—Bakersfield, Calif .....	65
Pellagra—	
Embraced under term "contagious disease"—Memphis, Tenn .....	88
Notification of cases and deaths—Memphis, Tenn .....	88
Preventive measures—Memphis, Tenn .....	88
Pens—Sanitation—Portland, Me .....	397
Pharmacists—	
(See also Venereal diseases.)	
Sales of diphtheria antitoxin by—Reporting—Birmingham, Ala .....	69
Philadelphia, Pa.—	
Rag, secondhand paper, and junk shops .....	380
Rags, secondhand paper, and junk—Itinerant dealers in .....	382
Venereal diseases .....	417
Physician, city—Treatment of tuberculosis cases by—Topeka, Kans .....	124
Physician, city health. (See Health officer.)	
Pittsburg, Kans.—Influenza .....	102
Pittsfield, Mass.—Health officer .....	209
Placarding. (See Communicable diseases; Coryza; Influenza; Pneumonia; Pollo-	
myelitis.)	
Pneumonia—	
(See also Communicable diseases.)	
Notification of cases—	
Boone, Iowa .....	70
Pasadena, Calif .....	101
Placarding—Pasadena, Calif .....	101
Quarantine—Pasadena, Calif .....	101
Police officers—Required to abate certain nuisances—Louisville, Ky .....	209
Police superintendent—Reports by hospitals to—Chicago, Ill .....	227
Pollomyelitis—	
(See also Communicable diseases.)	
Incubation period—Detroit, Mich .....	76
Infected persons and exposed children—Return to city—Detroit, Mich .....	76
Isolation—Detroit, Mich .....	76
Notification of cases—Detroit, Mich .....	76
Placarding—Detroit, Mich .....	76
Precautions in care of patients—Detroit, Mich .....	76
Quarantine—Detroit, Mich .....	76
Renovation—Detroit, Mich .....	76
Port Chester, N. Y.—	
Barber shops .....	30
Barbers .....	30
Camps—Sanitary regulation .....	382
Chiropodists .....	30
Common drinking cups—Prohibited .....	61
Common eating and drinking utensils—Prohibited .....	61
Common towels—Prohibited .....	61
Communicable diseases .....	104
Dead bodies—Transportation .....	38
Diphtheria cultures .....	104
Food poisoning—Reports of .....	104
Health officer—	
Appointment, qualifications, powers, and duties .....	210
Monthly reports to State health commissioner .....	210
Manicures .....	30
Midwives—Required to be licensed .....	306
Milk and cream .....	353

Port Chester, N. Y.—Continued.	Page.
Nuisances—Abatement .....	389
Smallpox .....	104
Spitting—Prohibited in certain places .....	395
Tuberculosis cases—Procedure in .....	104
Venereal diseases .....	104
Portland, Me.—	
Barbers and barber shops .....	31
Board of health—Officers—Posing as or obstructing .....	210
Communicable diseases .....	115
Food establishments .....	180
Industrial diseases—Notification of cases .....	115
Manure—Keeping, removal, and transportation—Receptacles .....	397
Milk and milk products .....	357
Stables, pens, etc.—Sanitation .....	397
Portland, Oreg.—	
Buildings—Heating .....	59
Food establishments .....	182
Poultry slaughterhouses. ( <i>See Slaughterhouses.</i> )	
Premises—Nuisances prohibited—New York, N. Y. ....	58
Printed matter—Distribution in halls and theaters—Albany, N. Y. ....	373
Privies—	
( <i>See also Cesspools; Excreta, human; Sewer connections; Water-closets.</i> )	
Construction—Louisville, Ky. ....	144
Construction, maintenance, and cleaning—Columbus, Ga. ....	135
Licenses—Durham, N. C. ....	138
Location, construction, maintenance, and cleaning—	
Durham, N. C. ....	138
Fort Worth, Tex. ....	142
Raleigh, N. C. ....	145
Permits required—Louisville, Ky. ....	144
When prohibited—	
Louisville, Ky. ....	144
Raleigh, N. C. ....	145
Programs—Distribution in halls and theaters—Albany, N. Y. ....	373
Proprietary medicines. ( <i>See Patent medicines.</i> )	
Prostitution—	
( <i>See also Venereal diseases.</i> )	
Repression—	
Birmingham, Ala. ....	399
Louisville, Ky. ....	404
Topeka, Kans. ....	419
Providence, R. I.—Eating and drinking places—Health certificates from em- ployees .....	183
Public baths—	
( <i>See also Bathing establishments.</i> )	
Employees—Health certificates—Jacksonville, Fla. ....	22
Sanitary regulation—Jacksonville, Fla. ....	22
Public gatherings—Attendance at. ( <i>See Communicable diseases; Influenza.</i> )	
Public health and sanitation officer. ( <i>See Health officer.</i> )	
Public health nurse—Appointment, qualifications, duties, and salary—Iowa City, Iowa .....	207
Public places of amusement—	
Toilets—Streator, Ill. ....	59
Ventilation, cleaning, and disinfection—Streator, Ill. ....	59
Puerperal septicemia—	
( <i>See also Communicable diseases.</i> )	
Notification of cases—New York, N. Y. ....	93
Pupils—	
( <i>See also Communicable diseases.</i> )	
Diseased or unclean—Treatment—Bridgeport, Conn. ....	71
Required to be vaccinated or have had smallpox—Cumberland, Md. ....	74
Smallpox vaccination—	
Birmingham, Ala. ....	69
Des Moines, Iowa .....	75, 76
Unvaccinated—Restrictions on, when smallpox exists—Elgin, Ill. ....	79
With pediculosis—Exclusion—Bakersfield, Calif. ....	85
35495°—21—29	

	Q.	Page.
Quarantine. ( <i>See</i> Communicable diseases; Coryza; Diphtheria; Influenza; Pneumonia; Poliomyelitis; Smallpox; Venereal diseases.)		
Quincy, Mass.—Health commissioner	211	
	R.	
Rabies—		
( <i>See also</i> Communicable diseases.)		
Prevention—		
Muzzling, confinement, or quarantine of dogs—Dayton, Ohio	75	
Muzzling of dogs—Beaumont, Tex.	67	
Rag shops—		
Licenses—Philadelphia, Pa.	380	
Sanitary regulation—Philadelphia, Pa.	380	
Rags—Itinerant dealers in—Licensing—Philadelphia, Pa.	382	
Railroad cars—Cleaning—New York, N. Y.	377	
Railroad stations—Cleaning—New York, N. Y.	377	
Raleigh, N. C.—Privies—		
Location, construction, maintenance, and cleaning	145	
When prohibited	145	
Refuse—		
Collection and disposal—Louisville, Ky.	194	
Depositing on private property or vacant grounds—Chicago, Ill.	192	
Receptacles—Louisville, Ky.	194	
Regulations—Communicable diseases—Bakersfield, Calif.	65	
Renovation. ( <i>See</i> Communicable diseases; Poliomyelitis.)		
Reporting of diseases. ( <i>See</i> Morbidity reports.)		
Residences—		
( <i>See also</i> Buildings; Dwellings.)		
Heating—New York, N. Y.	59	
Restaurants—		
( <i>See also</i> Eating and drinking places; Eating places; Food and drink establishments.)		
Sanitary regulation—Bridgeport, Conn.	157	
Richmond, Va.—Wells and springs—Prevention of surface contamination	426	
Rooming houses—		
( <i>See also</i> Lodging houses.)		
License—Milwaukee, Wis.	252	
Reports by proprietor of communicable diseases—Milwaukee, Wis.	2 52	
Sanitary regulation—Milwaukee, Wis.	252	
Rubbish—Keeping, collection, and disposal—		
Alameda, Calif.	188	
Sacramento, Calif.	197	
Rugs, bedding, etc.—Boating—Regulation—Milwaukee, Wis.	376	
Rummage sales—Permits required—Trenton, N. J.	385	
	S.	
Sacramento, Calif.—		
Births, deaths, and stillbirths—Reports	211	
Communicable diseases	118	
Department of public health and sanitation	211	
Garbage, rubbish, and waste matter	197	
Influenza—Wearing of gauze masks	119	
St. Paul, Minn.—		
Garbage—Receptacles—Collection	199	
Milk and cream	360	
San Diego, Calif.—		
Food establishments	183	
Influenza—		
Preventive measures	120	
Quarantine	120	
Wearing of gauze masks	123	
San Francisco, Calif.—Common cigar cutters—Prohibited	384	
Sanitary code—		
Syracuse, N. Y.	217	
Violation—Punishment—New York, N. Y.	377	



Sanitation officer, public health and. (See Health officer.)	
Schools—	Page.
(See also Communicable diseases; Influenza; Janitors; Pupils; Smallpox; Teachers.)	
Establishment and maintenance—New York, N. Y.-----	392
Screening—	
Dwellings—Memphis, Tenn.-----	256
Food and drink establishments—Jacksonville, Fla.-----	166
In communicable disease cases—New Haven, Conn.-----	90
Secondhand mattresses. (See Mattresses.)	
Secondhand paper—Itinerant dealers in—Licensing—Philadelphia, Pa.-----	382
Secondhand paper shops—	
Licenses—Philadelphia, Pa.-----	380
Sanitary regulation—Philadelphia, Pa.-----	380
Septic tanks—Installation—Youngstown, Ohio-----	148
Sewage treatment tanks—Installation—Youngstown, Ohio-----	148
Sewer connections—	
(See also Cesspools; Excreta, human; Privies; Water-closets.)	
Alton, Ill.-----	134
Anaconda, Mont.-----	134
Birmingham, Ala.-----	135
Columbus, Ga.-----	135
Durham, N. C.-----	138
Sexual ailments—	
(See also Communicable diseases; Venereal diseases.)	
Advertisements, concerning, prohibited—Topeka, Kans.-----	422
Sinks—Birmingham, Ala.-----	135
Slaughterhouses—	
(See also Meat; Slaughtering.)	
Inspection—Hartford, Conn.-----	264
Poultry—	
Permits—New York, N. Y.-----	273
Site and plans and specifications—Approval—New York, N. Y.-----	276
Sanitary regulation—	
Louisville, Ky.-----	266
Milwaukee, Wis.-----	270
Omaha, Nebr.-----	278
Utica, N. Y.-----	294
Slaughtering—	
(See also Meat; Slaughterhouses.)	
Sanitary regulation—	
Louisville, Ky.-----	266
Milwaukee, Wis.-----	270
Omaha, Nebr.-----	278
Smallpox—	
(See also Communicable diseases.)	
Actual or threatened epidemic—Powers and duties of board of health—	
Indianapolis, Ind.-----	81
Hospitalization—Port Chester, N. Y.-----	104
Isolation—	
Kansas City, Mo.-----	83
Port Chester, N. Y.-----	104
Quarantine—	
Kansas City, Mo.-----	83
Port Chester, N. Y.-----	104
Restrictions on unvaccinated pupils when disease exists—Elgin, Ill.-----	79
Vaccination—	
Exposed persons—Kansas City, Mo.-----	83
May be required—Buffalo, N. Y.-----	72
Of population—Indianapolis, Ind.-----	81
Port Chester, N. Y.-----	104
Pupils—	
Birmingham, Ala.-----	69
Des Moines, Iowa-----	75
Pupils, teachers, and school janitors—Des Moines, Iowa-----	76
Requirements regarding pupils—Cumberland, Md.-----	74
Smoke nuisance—Prevention—Chicago, Ill.-----	373
Sneezing—Covering nose and mouth—New York, N. Y.-----	101

Soda fountains—	Page.
Cleanliness—Maywood, Ill.-----	240
Paper cups and saucers required—Durham, N. C.-----	165
Spoons—Sterilization—Durham, N. C.-----	165
Utensils—	
Cleaning and sterilization—Flint, Mich.-----	165
Sterilization—Maywood, Ill.-----	240
Somerville, Mass.—	
Factories—First-aid supplies in-----	385
Foodstuffs—Protection-----	186
Ice cream—Manufacture and sale-----	245
Interments and disinterments-----	38
Offensive trades—Locations of-----	385
Spittoons—Required in factories and workshops-----	395
Spartanburg, S. C.—Mosquitoes—Prevention of breeding-----	257
Spitting—	
Prohibited in public buildings and conveyances—Port Chester, N. Y.-----	395
Prohibited in public places—	
New York, N. Y.-----	394
Norwich, Conn.-----	394
Wheeling, W. Va.-----	395
Spittoons—	
Required in certain places—New York, N. Y.-----	394
Required in factories and workshops—Somerville, Mass.-----	395
Spokane, Wash.—Influenza—	
Notification of cases-----	123
Quarantine-----	123
Springfield, Mass.—	
Common cigar cutters—Prohibited-----	385
Influenza—	
Isolation-----	124
School attendance-----	124
Springs. (See Water.)	
Stables—	
(See also Manure.)	
Sanitation—	
Macon, Ga.-----	396
Portland, Me.-----	397
Stillbirths—	
Copy of registry—Filing—New York, N. Y.-----	38
Registration—New York, N. Y.-----	37
Reports—Sacramento, Calif.-----	211
Stores—Spittoons required—New York, N. Y.-----	394
Streator, Ill.—Theaters—	
Toilets-----	59
Ventilation, cleaning, and disinfection-----	59
Superintendent of police—Reports by hospitals to—Chicago, Ill.-----	227
Suppurative conjunctivitis—	
(See also Communicable diseases.)	
Notification of cases—New York, N. Y.-----	93
Sweeping—Of porches—Regulation—Milwaukee, Wis.-----	376
Swine. (See Animals.)	
Syphilis. (See Communicable diseases; Venereal diseases.)	
Syracuse, N. Y.—	
Commissioner of health—	
Appeals from orders of-----	217
Appointment, powers, and duties-----	217
Department of public health—	
Advisory board-----	217
Establishment-----	217
Officers and employees-----	217
Sanitary code-----	217
T.	
Teachers—	
(See also Communicable diseases.)	
Smallpox vaccination—Des Moines, Iowa-----	76

	Page.
Tenement houses—	
Sanitary regulation—El Paso, Tex.-----	251
Vacation—El Paso, Tex.-----	251
Theaters—	
Toilets—Streator, Ill.-----	59
Ventilation, cleaning, and disinfection—Streator, Ill.-----	59
Toilets—	
(See also Cesspools; Excreta, human; Privies; Sewer connections; Water-closets.)	
Public places of amusement—Streator, Ill.-----	59
Theaters—Streator, Ill.-----	59
Toledo, Ohio—	
Division of health-----	220
Mosquitoes—Prevention of breeding—Bond issue for-----	258
Topeka, Kans.—	
Tuberculosis-----	124
Venereal diseases-----	419, 422
Towels. (See Common towels.)	
Trades, offensive. (See Offensive trades.)	
Treatment. (See Venereal diseases.)	
Trenton, N. J.—	
Communicable diseases—Quarantine during epidemic-----	126
Rummage sales—Permits required-----	385
Secondhand mattresses-----	385
Weeds and grass—When prohibited-----	60
Tuberculosis—	
(See also Communicable diseases.)	
Cleaning and disinfection—Highland Park, Mich.-----	80
Handling of food or food utensils by infected persons—Brookline, Mass.-----	71
Hospitalization—Topeka, Kans.-----	124
Infected persons—Removal—Highland Park, Mich.-----	80
Notification of cases—	
Highland Park, Mich.-----	80
Topeka, Kans.-----	124
Occupation of premises after termination of case—Topeka, Kans.-----	124
Procedure in cases of—Port Chester, N. Y.-----	104
Records not to be divulged—	
Highland Park, Mich.-----	80
Topeka, Kans.-----	124
Records to be secret—Bakersfield, Calif.-----	65
Recoveries—Reports of—Topeka, Kans.-----	124
Reports to State board of health—Topeka, Kans.-----	124
Requirements—New York, N. Y.-----	93
Spread—Precautions to prevent—Topeka, Kans.-----	124
Treatment by city physician—Topeka, Kans.-----	124
Typhoid fever—	
(See also Communicable diseases.)	
Cases in hospitals—Care and discharge—Chicago, Ill.-----	227
Convalescent cases—Examination of feces and urine—Louisville, Ky.-----	85
<b>U.</b>	
Urine—Examination—Convalescent typhoid cases—Louisville, Ky.-----	85
Utensils. (See Common eating and drinking utensils; Eating and drinking utensils; Food utensils.)	
Utica, N. Y.—	
Meat and meat food products—Inspection-----	294
Slaughterhouses—Sanitary regulation-----	294
<b>V.</b>	
Vaccination. (See Communicable diseases; Smallpox.)	
Vegetables—	
(See also Foodstuffs.)	
Protection—Louisville, Ky.-----	176
Venereal diseases—	
(See also Communicable diseases; Prostitution; Sexual ailments.)	
Advertisements—	
Birmingham, Ala.-----	399
Topeka, Kans.-----	422

## Venereal diseases—Continued.

Certificates of freedom from—	Page.
Birmingham, Ala.....	399
Louisville, Ky.....	404
Topeka, Kans.....	419
Circular of information for patient—	
Birmingham, Ala.....	399
New York, N. Y.....	409
Niagara Falls, N. Y.....	415
Philadelphia, Pa.....	417
Port Chester, N. Y.....	104
Copy of ordinance for patient—Topeka, Kans.....	419
Detention hospital—Topeka, Kans.....	419
Dispensaries—	
Conduct—New York, N. Y.....	413
Maintenance—	
Birmingham, Ala.....	399
New York, N. Y.....	413
Druggists' records—Topeka, Kans.....	419
Druggists' reports—Denver, Colo.....	403
Duties of health officer—Birmingham, Ala.....	399
Duties of physicians—	
Birmingham, Ala.....	399
Niagara Falls, N. Y.....	415
Examination of certain persons—	
Birmingham, Ala.....	401
New York, N. Y.....	409
Niagara Falls, N. Y.....	415
Examination of prisoners—New Orleans, La.....	407
Examination of suspected persons—	
Birmingham, Ala.....	399
Louisville, Ky.....	404
Topeka, Kans.....	419
Exposure of others by infected persons unlawful—	
Birmingham, Ala.....	399
Louisville, Ky.....	404
Topeka, Kans.....	419
Hospitalization—	
New York, N. Y.....	409
Niagara Falls, N. Y.....	415
Philadelphia, Pa.....	417
Infected persons—Conduct of and precautions by—Niagara Falls, N. Y.....	415
Instructions to patient—	
Birmingham, Ala.....	399
Louisville, Ky.....	404
New York, N. Y.....	409
Niagara Falls, N. Y.....	415
Philadelphia, Pa.....	417
Port Chester, N. Y.....	104
Topeka, Kans.....	419
Isolation—	
Denver, Colo.....	403
New York, N. Y.....	409
Niagara Falls, N. Y.....	415
Of certain persons—Birmingham, Ala.....	401
Prisoners—New Orleans, La.....	407
Topeka, Kans.....	419
Laboratory examinations—	
New York, N. Y.....	409
Niagara Falls, N. Y.....	415
Medicine—	
Prescribing, recommending, and compounding—Louisville, Ky.....	404
Sale—	
Birmingham, Ala.....	399
Denver, Colo.....	403
Notices in toilets—Posting by health commissioner—Milwaukee, Wis.....	406

## Venereal diseases—Continued.

Notification of cases—	Page.
Birmingham, Ala.....	399
Denver, Colo.....	403
Louisville, Ky.....	404
New York, N. Y.....	409
Niagara Falls, N. Y.....	415
Philadelphia, Pa.....	417
Topeka, Kans.....	419
Prohibited acts and occupations—New York, N. Y.....	409
Prohibited occupations—Niagara Falls, N. Y.....	415
Protective measures by health officer—Topeka, Kans.....	419
Quarantine—	
Denver, Colo.....	403
Louisville, Ky.....	404
Philadelphia, Pa.....	417
Topeka, Kans.....	419
Records to be confidential—	
Louisville, Ky.....	404
Port Chester, N. Y.....	104
Reports to be confidential—	
Birmingham, Ala.....	399
New York, N. Y.....	409
Topeka, Kans.....	419
Treatment—	
New York, N. Y.....	409
Niagara Falls, N. Y.....	415
Of certain persons—Birmingham, Ala.....	401
Prisoners—New Orleans, La.....	407
Topeka, Kans.....	419
Ventilation—Standards—New York, N. Y.....	58

## W.

Wake County, N. C.—Human excreta—Sanitary disposal.....	147
Waste matter—Keeping, collection, and disposal—Sacramento, Calif.....	197
Water—	
Bottled—Sale—Sanitary requirements—Berkeley, Calif.....	423
Chemical and bacteriological tests—Louisville, Ky.....	424
City supply—Connections with, required when—Louisville, Ky.....	424
Sale—Milwaukee, Wis.....	425
Use prohibited when polluted—Louisville, Ky.....	424
Wells and springs—Prevention of surface contamination—Richmond, Va.....	426
Wells or open cisterns—Use prohibited when—Columbus, Ga.....	424
Water-closets—	
(See also Cesspools; Excreta, human; Privies; Sewer connections.)	
Birmingham, Ala.....	135
Water connections—Durham, N. C.....	138
Weeds—	
Cutting and removal—Kokomo, Ind.....	54
Hay fever—Prevention of pollenization—Milwaukee, Wis.....	55
Noxious—Cutting and removal—New Orleans, La.....	56
By city.....	57
Over 18 inches high—Prohibited—Trenton, N. J.....	60
Wells. (See Water.)	
Wheeling, W. Va.—	
Births—Reporting.....	38
Burial.....	38
Deaths—Reporting.....	38
Ice cream—Manufacture, care, and sale.....	246
Spitting—Prohibited in public places.....	395
White Plains, N. Y.—Ice cream and similar frozen products.....	247, 248
Whooping cough—	
(See also Communicable diseases.)	
Wearing of yellow arm band—	
Ithaca, N. Y.....	82
Macon, Ga.....	80



	Page.
Wilkes-Barre, Pa.—Bureau of health.....	221
Winston-Salem, N. C.—	
Eating and drinking places.....	187
Midwifery—Regulation of practice.....	306
Midwives—Reports by.....	306
Workshops. ( <i>See</i> Factories.)	

## Y.

Youngstown, Ohio—Septic, biological, and sewage treatment tanks—Installation..	148
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